

**ENVIRONMENT, LAND ACQUISITION & PLANNING COMMITTEE
of the
Suffolk County Legislature**

Minutes

A regular meeting of the Environment, Land Acquisition & Planning Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, Veterans Memorial Highway, Smithtown, New York, on **July 28, 2003.**

Members Present:

Legislator David Bishop - Chairman
Legislator Michael Caracciolo - Vice-Chair
Legislator Ginny Fields
Legislator George Guldi
Legislator Martin Haley
Legislator Vivian Fisher

Also In Attendance:

Thomas Carroll - Aide to Legislator Bishop
Barbara LoMoriello - Aide to Legislator Cooper
Nanette Essel - Aide to Presiding Officer Postal
Sean Clancy - Budget Review Office
Catherine Stark - County Executive's Office/Intergovernmental Relations
Vito Minei - Suffolk County Department of Health Services
Brendan J. McCurry - West Sayville Civic Association
Bill Fitzgerald - Counsel/West Sayville Civic Association
Maria Brown - West Sayville Civic Association
Dr. Tanacredi - Dowling College
Dr. Martin Schreiber - Professor of Marine Science/Brooklyn College
Ann Aurelio - West Sayville Civic Association
Joseph F. Aurelio - West Sayville Civic Association
Ann Aurelio - West Sayville Civic Association
Barbara Whitbread - West Sayville Civic Association
John Whitbread - West Sayville Civic Association
Adrienne Esposito - Citizens Campaign for the Environment
Louis T. Febrizio - West Sayville Resident
Robert J. Korsiak - Representing Self
Guy Soven - Representing Self
Linda Leuzzi - Suffolk County News & Islip Bulletin
Nick Gibbons - Suffolk County Parks Department
Ed Randolph - Suffolk County Water Authority
Christina Hamm - Institute for Sustainable Development of LI Univ.
Steve Lang - CUNY
Catherine Schindewold - Representing Self
Emi Endo - Newsday
All Other Interested Parties

Minutes Taken By:
Alison Mahoney - Court Stenographer

1

(*The meeting was called to order at 1:29 P.M.*)

CHAIRMAN BISHOP:

Good afternoon. This is the July 28th, 2003 meeting of the Suffolk County Legislature's Committee on Environment, Land Acquisition and Planning. If you wish to address the committee as a member of the public, you need to fill out a card; cards are available up here by the stenographer. Legislator Guldi is here, that means we have four members present and we can begin. I ask everybody to please rise for the Pledge of Allegiance to be led by Legislator Fields.

Salutation

I see we were missed on our break by the turnout here today; a lot of people are here. I hope everybody had a productive July. Have there been zero cards filled out, because I don't have any. There is a card back out there, the gentleman in the -- oh, Tom is handling it, okay, good. All right, Adrienne Esposito.

MS. ESPOSITO:

So few of you up there. Hi, good afternoon. I'm Adrienne Esposito with Citizens Campaign for the Environment. I'm here to speak just briefly in strong support of 1592 which is the preservation of the area known as the Bluepoints Property.

As many of you Legislators know, the Bluepoint Property includes upland portion in the Town of Islip and the bottom lands portion in the Town of Brookhaven and it lies within the designated Long Island South Shore Estuary Reserve. Citizens Campaign for the Environment has worked for over a decade to preserve the South Shore Estuary and the Bluepoints Property would be an extremely important piece of property to preserve in order to help implement the Comprehensive Management Plan for the South Shore Estuary Reserve. Many -- it's like talking to no one.

CHAIRMAN BISHOP:

Don't get upset.

MS. ESPOSITO:

I'm not upset, I'm just saying it's kind of weird to talk to yourself, but I do that a lot. Anyway, the point being that the Comprehensive Management Plan was signed last year, it was signed by the South Shore Estuary Reserve Council of which Suffolk County is a member, and that

plan calls on a number of activities to preserve the South Shore Estuary. And so we're urging the County to help preserve Bluepoints in order to implement the functions of the South Shore Estuary Comprehensive Management Plan.

Preserving the space known as Bluepoints Property achieves a number of goals specifically cited in the management plan. One is reducing nonpoint source pollution runoff into the estuary; two is increasing public access to the estuary; three, providing new and important opportunities for research to increase harvest levels of shellfish; four is protecting and sustaining water dependent economic activities such as commercial fishing and agriculture; four, increasing opportunities for public education in the development of an

2

interpretive center; also protecting cultural and historical resources to preserve maritime character of a community while supporting tourism. All of these are components in that plan and all of these are achieved by preserving the Bluepoints Property.

CCE is supporting an aggressive implementation of the South Shore Estuary Management Plan and we're asking the County to do the same and one important step would be to preserve Bluepoints to do that. Thank you.

CHAIRMAN BISHOP:
I have a question.

MS. ESPOSITO:
Okay.

CHAIRMAN BISHOP:
I understand that the potential developer, Mr. Anniboli, is that it?

MS. ESPOSITO:
Yes.

CHAIRMAN BISHOP:
He has a scaled-back proposal that includes an education component; could you go through the list, what is it, five factors of whether this scaled-back plan negatively or positively impacts that list?

(*Legislator Fisher entered the meeting at 1:33 P.M.*)

MS. ESPOSITO:
Okay. Well, I'd have to first review a detailed scaled back plan, but as far as I understand, it does also include certain amounts of development which you're still going to have your nonpoint source

pollution runoff, you'll have to deal with the issue of sewage, we also have an issue there of public access to the estuary. So there's a number of issues that either it's clear will still be impacted by the scaled down plan or it's unclear as to what degree they'll be impacted.

CHAIRMAN BISHOP:

Has he released this plan? I haven't seen it.

MS. ESPOSITO:

You'd have to ask him.

CHAIRMAN BISHOP:

Is this something that he's filed?

MS. ESPOSITO:

I believe he has in a Town of Islip Planning Board meeting.

LEG. FIELDS:

There was a Town of Islip meeting on this past week and he did release his new plan and he scaled it back to 21 condominiums.

3

CHAIRMAN BISHOP:

Okay. And how many acres are we --

LEG. FIELDS:

Three.

CHAIRMAN BISHOP:

The complete property that we're interested in is three acres?

LEG. FIELDS:

Three, and it's adjacent to the NYCON Park property that we acquired about two years ago or three years ago, and on the other side to the Long Island Maritime Center, Maritime Museum.

MS. ESPOSITO:

The bottom line for us is there are a number of speakers here who will be well versed on this topic as well, but when you have a plan that says you need to start preserving shore front property, you need to start public access, you need to start, you know, considering nonpoint source runoff, each and every property on the water is going to have some embattlement with development. And we need to start somewhere, we need to start the preservation -- I mean, the implementation of the Comprehensive Management Plan if we really aren't going to take preserving the South Shore Estuary seriously; that's the bottom line.

CHAIRMAN BISHOP:

Thank you. Any other questions? Now, I understand there's a delegation here, most of the people here are from the West Sayville Civic Association; is that correct? How many of you by a show of hands are from that organization? All right. Is there a way that you can self organize yourself into three or four speakers; have you done that already? If you are part of that delegate then step forward, if you're the designated speakers, and you can come to this table; you can all sit. Please, there are microphones there that you can use. Like if you watch C-Span, it's like Congress.

MR. McCURDY:

We do have a short Power Point presentation as well, Legislator Bishop.

CHAIRMAN BISHOP:

Okay. Carey, you're on top of that? Okay. So you can start speaking, if it's possible to start before the Power Point, and then we can --

MR. McCURDY:

My name is Brendan McCurdy and I'm the President of the West Sayville Civic Association. I think that we have an incredibly important and exciting opportunity in front of us today for the County to exercise its power of eminent domain to acquire this parcel of land. I have had several conversations with many people and I'm told the County doesn't condemn property, so I'd like to address that right off the bat and why this particular parcel needs to be condemned. In its uniqueness, it stands apart from probably anything that I can think of and the unique --

LEG. FIELDS:

May I interrupt for one second, Brendan?

MR. McCURDY:

Certainly.

LEG. FIELDS:

The County does condemn property, they condemn it for road widening and for other things that they feel that are a public need. So that is something that the County has done and continues to do on a regular basis.

MR. McCURDY:

This could be the crown jewel of condemnation, without a doubt. The Bluepoints Property is unique, one, historically. The Bluepoints Oyster Company has existed for over a hundred years and the Bluepoint Oyster is known around the world. The building itself is an historic

structure and we'll present to the board a letter we received from the New York State Office of Parks, Recreation and Historic Preservation which does indeed state that the property meets National Register criteria A&C and is eligible for inclusion in the State and National Registers of Historic Places. So historically, the building has great significance which is undeniable.

The second unique characteristic of this property is the fact that it sits on top of salt water wells which is a curious but important phenomenon that I've been learning about. Now, mid 1970's they drilled down approximately 90 feet and they tapped into salt water aquifer and they're able to pump up a salt water which is in its purity and salinity perfect for aquaculture research. The Bluepoints Company has been using the salt water wells for growing the algae that they need to raise their sea clams and sea oysters. To the best of our knowledge, this is a unique resource, you can't find it a mile to the east, five miles to the west. When aquaculture facilities get water to grow their algae, they typically have to treat it in some fashion, whether it's to take out the iron or to add the salt or to cure it of its impurities, they've got to do something to it down and it's an expensive process. Down there in West Sayville they pump it up out of the ground and the lobster wholesaler who's adjacent to Bluepoints calls it holy water; it's just an incredible natural resource and it has to be preserved, it has to be utilized.

And the third particular unique characteristic of the Bluepoints site is its location. The Bluepoints facility sits on the south shore of Long Island, and if you picture Long Island from Brooklyn to Montauk, West Sayville is pretty much dead center, it sits in the middle of the Great South Bay Estuary and it now sits adjacent to 11,000 acres of bay bottom which has been donated to a nature conservancy. So it is a parcel that has unique characteristics that are incredibly overwhelming argument for the County to own it.

You can see -- I'm not sure if this little red light works, but this is an aerial view of West Sayville and the subject parcel is right down there; Bill, thanks very much. It also includes the two fields that are just north of the parcel. So we have established the fact that it's a unique parcel with characteristics that are irreplaceable.

And if this building were to be raised, we would all suffer irreplaceable and irreparable harm. A hundred year old structure is a landmark, not only for Suffolk County but certainly for West Sayville as well.

Right now the property is in contract to be sold to a developer. The developer wants to get a zoning change to build condominiums. We had

discussions with the developer, and yes, he has scaled down his original plan from 30 to 21, but he still wants to develop his condominiums; he's driven by the profit motive which is what developers do. The West Sayville Civic Association is just as intractable in our opposition. We presented a two-and-a-half presentation at the Planning Board Hearing in the Town of Islip last Wednesday night and we showed the Town of Islip, we thought, that you can't allow the zoning change to go forward.

The point I'm driving across, the point I'm trying to drive at is the fact that the Civic Association is prepared to fight this to an Article 78 to block the change of zone, and the developer seems to be prepared to stay in this for as long as he possibly can to get his change of zone to build his condominiums. So the condemnation by the County has to occur quickly otherwise it's going to drag on and on in the courts, because the civic association is not budgeting and the developer is not budging. And our greatest concern is that the parent corporation will raise the property, level it, take it down, because that would expedite the developer's zoning change request; if there's no building there then the civic association might very well lose the momentum that it now has.

As well I'd like to point out the location of the facility, as Legislator Fields mentioned, is adjacent to our passive park in the Long Island Maritime Museum. We've got here some many screens going in front of you, but what I wanted to point out is what's going on inside the Bluepoints facility right now. You can see that the structure is still vital, in fact, we have a letter in our file that was prepared by the architect engineer for First Republic, the parent corporation. They needed to get a Certificate of Compliance with the Town of Islip, so on December 9th of 2002, their architect prepared a letter indicating that, and I'll read for you, "Considering the age of the construction, the general condition of the structure is presently considered sound." It's basically a property was built a hundred years ago with dimensional timber and the saying goes that they don't mellow like they used to and I think this is very much the case.

Okay. The next point I would like to turn to is another question that has been posed when I talk about the County condemning this property, and that is what it's going to cost. My understanding when you have a condemnation take place, a Judge decides the value, and the concern is that if we condemn it we don't know what the judge is going to aware, and that certainly is a concern and I'd like to address it this way. I believe we have an upside number that the County can look at and that's the contract number that the developer has to purchase the property from First Republic. The contract that Mr. Anniboli signed is for a \$1,600,000. Now, that contract is contingent upon a zoning change, he needs to be able to build condominiums before he closes and pays First Republic a million six. So I think it's a reasonable

expectation that the Judge would consider that million six number as the upside limit, and that number contingent upon a zoning change. So if a judge were to go take a look at the property for purposes of condemnation and try to assign a value based upon its current zoning or its current use, I think there's a reasonable expectation that that that number would be below \$1,600,000. So I bring that to your attention as a way to at least assuage, A-S-S-A-U-G-E, your concerns about what the upside limit might be to the County.

Okay, public purposes served by the condemnation. I think that -- and we have Dr. Taracredi here who can speak to this, but if I can just take a moment and kind of go back in time to last March or April when we found out that the property was in contract to be sold. And it kind of was the catalyst to form the civic association because we felt we had to do something, we just couldn't sit there and watch this historic structure be taken down. So we got together, the neighbors on Atlantic Avenue by and large, and we said what can we do? Let's think of an alternate use for this facility. We didn't want to get up there and say no condos and let people say, "Oh, it's all a NIMBY thing, not in your backyard, you don't want it." We don't want condominiums because we have a better idea, and the better idea is CEES; it's a marine science collaborative. We said that this facility can be reused, adaptive reuse of an existing facility to speak to the future; not a museum about oystering in the past but rather a facility that can be used and its resources can be used to move into the future. So we started making phone calls and, low and behold, we found out that a lot of people felt the same way.

We spoke with Dr. Tanacredi from Dowling College. He said to me, "You know, I did my Doctorate of Research down there at Bluepoints, I'm perfectly familiar with the facility." So we reached out to Cornell Cooperative Extension and they embraced us, they said this is a great idea. We have a similar facility up in Southold where we're studying the Peconic Bay to be able to do something on the Great South Bay is an affluent, beautiful opportunity. We spoke with the Director of the New Jersey Marine Science Collaborative down in Sandy Hook; this is a collaborative that has been studying aquaculture since the mid -- early 1970's and it's a phenomenal success. In fact, the Director of the New Jersey Marine Science Collaborative is familiar with Bluepoints having done research down at Bluepoints.

So the momentum just started to build and we found more and more institutions and people -- there's a short list, that's not the complete list -- said you know what, this is a great idea, we support you, let's see what you can do with it. We had a meeting at Dowling College last December where about 30 people representing different organizations in the room and you could just see the excitement, you

could feel the excitement in the idea.

So the public purpose served by condemnation is to create CEES, a {multi-disinary} collaborative united to understand, improve and preserve Long Island's estuarine environment. And the point we're trying to make to you right now is that it becomes a self-sufficient organization; it's an organization that's compromised of many different institutions, and when you take the pie and slice it up into smaller pieces it becomes much more manageable for all. Because

7

that's another comment we heard back as the County, they're going to buy it and they don't want a white elephant; well, our idea, our proposal is that it be triple net leased over to CEES. And I'm going to turn to Dr. Tanacredi right now who can give you a few ideas and just actually share with you some of the ideas that we've been formulating for the past year on how this thing is going to get on the ground running and how would it get the income in so we can cover the nut and make it grow. Dr. Tanacredi?

DR. TANACREDI:

Thank you, Brendan. Good afternoon, committee. I provided some material for you and maybe just to make it easier, if you can go to this page here which has a diagram showing some of the concepts. And just to prep this diagram, I wanted to mention something. I heard a question raised to someone about the Bluepoints Property and this proposal by the developer and Stony Brook, I have to state emphatically that there really isn't a proposal by Stony Brook. This is a last ditch effort on the part of the developer to placate the public interest and the really consortial and collegial attempt here by a whole host of individuals with not only historical interest but education interest and scientific interest in the Bluepoints Property.

As Brendan mentioned, I did do work at Bluepoints dating back over 35 years ago. I brought school groups from several colleges, I've taught at Hofstra, I'm now at Dowling College as Chairman of the Department of Earth and Marine Sciences there and one of the things that we've looked at is the off-shore property which is an integral part of the upland aspect to this and they really can't be separated. And The Nature Conservancy has been working and dealing with the off-shore. The bay bottom portion and the upland part are facilities that in general when you walk around there you may have some questions about their structural integrity but that's been looked at, assessed and evaluated and so that the existing facilities can function in a way that can provide the types of education or even research activities, as Brenden mentioned the uniqueness of the salt water wells.

On the first two pages of this handout that I gave you also, if you

put them -- just take a look at that, these are some short-term activities that can be done on the site immediately; as a matter of fact, they could have been started earlier on this summer. There are activities that are long-term. All of these have some revenue component, all of them have some kind of educative component that requires coordination, logistical, setting things up, getting students in and out of the site, taking a look at the facilities itself, graduate students working in there. And in this flow diagram in the handout, also it shows that there are civic as well as university collaborations from private, State and city universities, and up until that presentation last week we actually thought that Stony Brook was part of this collaborative activity. But the bottom line is that there are a host of aquaculture dependent, education research dependent which are part of the paradigm of Bluepoints, part of the history of Bluepoints that can generate income. It's not just necessarily the commercial aspect of shellfisheries, we're talking about not only education but we're talking about aquaculture systems that are noted in this handout in raising certain types of commercial fish for the pet trade, looking at reintroduction of species into habitats along

the shore in restoration projects to deal with the South Shore Estuary and the entire comprehensive plan that's associated with that.

So without belaboring it too much because we could probably talk quite some time here just on the efficacy of these facilities in its existing condition in generating the income and the necessary finances to maintain this type of consortial relationship and this educational center, you can get most of those types of things in this handout, so if you'd like a little bit more there. But I wanted to just kind of emphasize one thing before and that is the fact that this is more than just commercial property that's available for public use or certainly the idea of public benefit is a major part of this condemnation proceedings, this is a cultural icon on Long Island. Not only as a boy growing up in Brooklyn did I spend a lot of time on Long Island and going to Bluepoints and digging clams out there one summer and working with the company, if that was the only part of this I probably would still have enough interest to be associated with this, but we're talking about a facility that's slowly disappearing on Long Island. Students and young people today have a disconnect between the upland and the shoreline. This is the connection, this maintains the history, not only the history but maintains the future aspect of Long Islanders looking toward the estuary, looking toward the types of things that Legislators and administrators and political appointees and all the types of people that have been involved in developing an estuarine science or an estuarine awareness. Just look at Newsday, the whole idea of Long Island from the tip of Brooklyn to the tip of Montauk and looking at the entire coastline as a place that's slowly diminishing,

disappearing. People don't even have access to the shoreline as much as they've had before.

So really is -- you have a unique challenge, a very unique challenge. You have a piece of property here there has the facilities already existing there that can be adaptively reused, it has the cultural and historical nature, it's a historic site, you have that particular activity that still needs to be focused on, but you have an opportunity here to make a decision that puts a real educational center right at the forefront in Suffolk County. So I'm sure that you will see that when you see all this material, and not only from myself but from the entire collaborative. Thank you.

MR. McCURDY:

Just to add to that. We determined, through discussions with some of the people who work down at Bluepoint, that the annual operating budget is approximately \$90,000; a large component of that, of course, is oil to heat, you're not sure how severe the winter is going to be. But to quote here, "If only ten groups were to take part, the \$90,000 would translate into an obligation of \$750 per month per participant. This is a number that by most measures would be an affordable component of each group's larger annual budget. More importantly, staffing costs would not impact CEES as each group's participants would be working under the parent entity's payroll."

So I think when you put it in that type of perspective you can see that the number is not out of reach. And in fact, there's a certain momentum that we believe will occur once CEES is operating; as more and more people see what's happening there, I believe we'll have more

9

and more participants come underneath the umbrella.

CHAIRMAN BISHOP:

May I ask a question?

MR. McCURDY:

Yes, please.

CHAIRMAN BISHOP:

The emotional attachment of the community is to the buildings, to the structures; that's what this is about, don't knock down the structures, find a use for the structures that's -- you know, that keeps its historic value intact?

MR. McCURDY:

I think, sir, that's a really large part of the attachment, the structure itself.

CHAIRMAN BISHOP:

So if this developer worked around that there would not be room for compromise? I'm concerned about this no compromise position on either side and where that's going to end up.

MR. McCURDY:

Well, the developer is in it to build low -- high density housing on the south shore.

CHAIRMAN BISHOP:

Right.

MR. McCURDY:

So even if you took the historical component out of the discussion, the civic association would be opposed to high density housing. In fact, if you like, our Counsel, Bill Fitzgerald, can run you briefly over the many obstacles that the developer would have outside of the discussion concerning the historic nature.

CHAIRMAN BISHOP:

No, I -- this is what I want. So there's an objection also to the idea of condos, it's not just that these buildings are historic and should be preserved; that's a large part of it I understand, but it's also that this community doesn't want to see condominiums. I represent Oak Beach so it's not a position I'm unfamiliar with, but I'm just trying to get to what the hub of this argument is.

MR. McCURDY:

Down there on the foot of Atlantic Avenue, it's very much a maritime industry. We have a wholesale fish operator, we have a wholesale lobsterman who's using the same salt water wells to pump up the water into his holding tanks, we have a marina, we have a woodworking shop and we have shellfish marine which is a commercial boat operation.

So the concern is that if the condos go in here than it's going to be more of a dominos, it's going to start all of this marine industry tumbling into residential development so it will, in essence, change the character.

CHAIRMAN BISHOP:

That's already happening, but I understand, it would be another domino to go. Thank you. Thank you for allowing the interruption. Are there more presenters?

MR. McCURDY:

Yeah.

LEG. FIELDS:

May I just interrupt for a second and answer a question also that you presented, Dave? I think there are five and I think I'm forgetting some that are very important as a component of why this is necessary. Number one, because of the history and the cultural significance; number two, a very, very important part of this is the salt water well, you can -- once this developer rips down these buildings you're not going to be able to have access to that and it's known by Cornell, almost every one of the communities -- it's louder. Educational facilities who know about the property know how important this salt water well is. Thirdly, the South Shore Estuary Reserves Comprehensive Management Plan actually designates Bluepoints as a maritime center in their recommendations. Fourth, it's not in conformance with the character of the community if condominiums go up there. And fifth, you would lose the access to the Great South Bay and we are not making any more land and any access, we're losing it. So those are just five, I think there are a couple of more.

MR. McCURDY:

I wanted to ask Maria Brown to say a few words to you. Maria is a high school teacher at Sayville Public Schools and I think she brings an interesting and important perspective to what condemnation would mean.

MS. BROWN:

Good afternoon. How are you today? I'm Maria Broan, I teach at the high school there, this will be my fifth year. And prior to that I was an environmental scientist for 12 years so I have great interest in the environmental quality of the area.

My interest began in West Sayville Civic Association when they were invited into the school to speak to my AP Environmental Science classes. And we do a lot of research within the creek and specifically down at the mouth of the creek which is adjacent to the Bluepoints Property, and most of the emphasis that we look at is how land use impacts or surrounding land use impacts the coastal resources and economics of Long Island.

One of the things that really interested me with CEES is that this is the opportunity for real public use and education and community outreach which is also an integral part of the AP Environmental Science Program. Basically my interest would be as a liaison for student volunteerism which can help to maintain the property, there are a lot of the clubs, not only at Sayville but Bayport and the surrounding community schools where students who are in Honor Society or any of the clubs, they must do community service, this is a great opportunity for them to go down and volunteer their time to help construct -- I don't mean, you know, doing architectural work or major construction, but to help with some of the community outreach projects

which could include painting some of the structures, doing some of the restoration work, the gardening, helping to maintain and clean-up the area and just be a part of their community and that is really lacking in general and it's just a wonderful opportunity for them to have.

They also do fund-raisers, and of course their fund-raising would be minimal compared to some of the self-generated income that can come from that facility. But it's a wonderful thing as a community project and outreach project, so I'd love to see that and I think it's very important. Thank you.

LEG. FIELDS:

Maria, may I ask you a question? Can you just share with the panel what you've done with your students at that site and on that waterway?

MS. BROWN:

First, second or third volume? Okay. We've conducted studies including the land use, we've been mapping all the land use and land use changes. We have an ongoing water quality program where we start from the most northern portions of Green Creek and we monitor dissolved oxygen, we monitor activities that are ongoing in the creek, legal and illegal, and also how that impacts siltation and erosion within the creek. We're looking at -- we have a major {benthic and vertebrate} study that we've been conducting and we have permits and licenses to collect from New York State DEC, those specific studies all indicate that this is a stressed system but there is still enough biodiversity within this creek and at the mouth of the creek that is considered to be in fair condition. Any additional land use or development which would compromise nitrogen loading or water quality, surface water quality or groundwater water quality, could certainly put this particular area to the limit where it may not be able to recover.

The students also do additional work up at Brookside County Park that is not necessarily related to the {estuarine} studies. So they encompass a number of different variables in the {biota} and the physical -- or the {abiotic} conditions for this entire watershed and it's really a watershed management plan that we took on as students and as a program to look at and also they are required to do community service to get involved with their community and look at this as part of their growth for the future. So is there anything that I've left out that you think I should continue with?

LEG. FIELDS:

Your plans would be great; did you bring them?

MS. BROWN:

Oh, the volumes? No, I didn't bring them. Thank you.

MR. McCURDY:

So you can see that the CEES idea really is umbrella, all-inclusive and to bring the Sayville Public Schools or the Bayport Public Schools in just speaks to the public purpose of condemnation.

12

I think I'd be remiss if I didn't mention one of our directors. And CEES has Incorporated, we are a not-for-profit, we're not yet a 501(C)3, but we are Incorporated in the State of New York. And one of our directors is Dr. Martin Schreiberman, he's a distinguished Professor of Marine Science at Brooklyn College and he's the founder and Director of an organization called {Aireac} which we've used as a model. And Dr. Schreiberman has really been an incredible inspiration to us because he sees this facility as the epicenter of the Great South Bay South Shore Estuary.

(*Legislator Haley entered the meeting at 2:05 P.M.*)

And he could talk to you about the potential for the science that can come out of aquacultural. I'm learning; I'm a banker by trade but I'm learning that the aquaculture is a science that really is just poised to grow. And though we may not discover a cure for cancer, there are certain biological components that are being discovered that are derived from horseshoe crabs that have a phenomenal potential to better mankind; I'm not doing him justice but I'm just scratching the surface. So the aquaculture component of this facility outside of just all the public purpose is something that has to be appreciated. He's talked about tilapia, as something that can be raised to help generate the revenues.

So I'm sitting here in front of you saying that we're quite confident that we're quite confident that we're going to be able to generate the revenue that's needed to maintain and to grow this facility. I don't want to take too much more time. Bill, did you have a few words you wanted to say? This is Mr. Bill -- William Fitzgerald.

MR. FITZGERALD:

Mr. Chairman, Members of the Committee, my name is Bill Fitzgerald and I am Counsel to the civic association as well as a member of the community. The reason why I wanted to speak today is there's a couple of points that I want to clarify. Dr. Whitbread and myself had a conversation with Dr. {Weiss} and Dr. {Janover} from SUNY after the meeting Wednesday night and at that time they did express an interest to still be included in our consortium because what Anniboli} has promised them is not large enough for them, they basically need twice the size of the facility that he's proposing to give them; so they

haven't reached an agreement with him yet and they are still interested in being part of the collaborative at this point.

I also have a major concern about the demolition of the building. As you've heard today, the historical aspect of this building and the significance it has to the community is very important.

Unfortunately, in the Town of Islip it's relatively easy to get a demolition permit, there's basically no approvals that are needed; once you have all your certificates on the building, which is the reason why the developer got the Certificate of Compliance in December, he can go get his permits. And as much as we can try to delay that as possible, it's a real tough thing to stop. So there's a real urgency now because we are being told that he's planning on taking this building down in August, and that was told to us by one of the marina operators down in West Sayville, as well as told to us from the night watchman at the facility who of course told us off the cuff,

13

so that can't go on the record. So we have a real concern about the demolition of the building and possibly losing this building immediately.

Likewise, I won't go through the problems with the application because there are many issues, he needs variances, he wants to move roads, he wants to -- you know, it doesn't fit in with the conformance of the neighborhood; I have many grounds for Article 78. But the important thing that I want to address to the County today is that right now his current plan changes the right-of-way that the County has to the County property. Right now the County has access to the property on the southern end of that road which leads directly to the beach, he's planning on completely eliminating that plan; whether he's going to be able to do that is a major issue and that obviously is going to affect the County's access and use of the County's parkland next door. And that's all I have, unless you have any questions of me.

LEG. VILORIA-FISHER:

I have a couple of -- can you hear me?

MR. McCURDY:

Yes.

LEG. VILORIA-FISHER:

Okay. I have a couple of questions regarding the current use of the buildings because we had received also a plan from the developer. It refers here to asbestos --

LEG. FIELDS:

I don't have that.

LEG. VILORIA-FISHER:

Well, it came to our office.

LEG. FIELDS:

He didn't mail it to me.

LEG. VILORIA-FISHER:

You're free to look at mine. It referred to asbestos remediation and I'm asking about this because we had discussed high school students going in and doing research at the building or doing community service work. If the County were to acquire this we would have to incur the cost of asbestos remediation, you couldn't have it used and open to the public without that kind of remediation; have you taken that into account in your discussions with the consortium?

MR. FITZGERALD:

What we have not been able to do is actually assess whether it needs to be remediated. Our assumption is that a majority of this has already been encapsulated, the asbestos is on the property. And the developer's cost and the reason why he had the asbestos abatement team in there is because he's going to have to -- obviously there's going to be airborne particulars as a result of him demolishing the building. Demolition and asbestos is one thing, leaving the asbestos in there and having it encapsulated is a different thing. We don't know if it is encapsulated; I believe --

14

LEG. VILORIA-FISHER:

Okay.

MR. FITZGERALD:

My assumption is --

LEG. VILORIA-FISHER:

It doesn't really state that clearly here, it refers to asbestos remediation, it was something that start jumped out at me and I wanted to address it here.

MR. FITZGERALD:

And that's -- like I said, it's for the actual demolition; whether it needs to really be remediated is unclear.

LEG. VILORIA-FISHER:

Okay, and that is not clear here. The other question is if you could go back to your aerial shot because it seemed from the plans that are included in this it refers to area to be donated which looks like it would be the area that is at the shore line and then there is area to

be donated which is it's hard to determine from this whether it's the -- I think it would be on the north side of this. If you could -- you know their plans, I'm assuming, if you could just tell me where they would be building the condos.

LEG. FIELDS:

You have to use the mike, just grab one and you can carry it with you.

MR. FITZGERALD:

Yeah, what he's planning on doing is basically building the condos in this corner right here, about 20 feet from the road, it's about 325 feet in length. And then he's proposing donating a section from here to here and all the way up in here, this little section, little strip of land here and this little catwalk here, he's proposing to donate that with the public donation that he wants to give.

LEG. VILORIA-FISHER:

Okay. Would that provide access to the shore line?

MR. FITZGERALD:

Not really, because what he's proposing to do, the building will actually come up here so this road is going to be moved back to here and then dump out into a parking lot, so this area right here -- actually, I mean, his proposal plans on building on this area right here.

LEG. VILORIA-FISHER:

Okay. I thought you just -- I thought you referred to that as the area that would be donated to the County; that's what I'm trying to establish.

MR. FITZGERALD:

Well, he's not talking about donating it to the County.

LEG. VILORIA-FISHER:

Well, donate it.

MR. FITZGERALD:

Or donate it, yes. He's proposing putting a research center right there. So the road was actually going to come here, it would dump into a parking lot and then there would be a building right here.

LEG. VILORIA-FISHER:

Okay. And that's Atlantic on the parcel?

MR. FITZGERALD:

This is Atlantic Avenue right here. This is Clyde Street and Clyde

Street, this is where the right-of-way exists.

LEG. VILORIA-FISHER:

Okay. So that -- Clyde Street is it?

MR. FITZGERALD:

Yes, this is Clyde Street; it's named Clyde Street but it's not officially designated as a town road.

LEG. VILORIA-FISHER:

Oh, it's not a town road, that's what I wanted to know.

MR. FITZGERALD:

No.

LEG. VILORIA-FISHER:

It's not a designated town road?

MR. FITZGERALD:

Not at this time, no. The town has been maintaining it. I mean, there are obviously a lot of legal issues with this little road right here because the town has been maintaining it and the County has, you know, the right-of-way that's been passed by deed for access to the beach from here. You can tell from the older photos which I don't believe we have any here today, you know, this at one time was a functioning marina right here.

LEG. VILORIA-FISHER:

Uh-huh.

MR. FITZGERALD:

And when Jacob Ockers donated this, he kept this road here so that they had access to this beach.

LEG. VILORIA-FISHER:

Okay. But although that -- well, you're saying that that donated land would be donated to, for example, the Stony Brook Marine Sciences Research Center.

MR. FITZGERALD:

Possibly, yes.

LEG. VILORIA-FISHER:

And so there would be no public access --

MR. FITZGERALD:

Absolutely.

LEG. VILORIA-FISHER:

-- to the shore line. I have another question and I don't know who can answer this. I thought that all of the committee had gotten -- the Chair didn't?

CHAIRMAN BISHOP:

It was addressed to the wrong -- it was my old address, that's why I didn't get it.

LEG. VILORIA-FISHER:

Oh, okay. This report by Bluepoint Harbor Club of West Sayville is what it's entitled, also speaks to traffic patterns, okay; if you could just give me a second to turn to that page, okay?

MR. McCURDY:

I've got it memorized.

LEG. VILORIA-FISHER:

Oh, okay, good; give me the opportunity to get there so that we are on the same page, so to speak. Okay, traffic volumes. It refers to light industry, office building and retail -- it compares the different volumes and what senior condos and it's a -- it breaks into an AM and PM peak hour breakdown and I'm certain that means number per hour of vehicles. Okay, so go ahead since you have it memorized.

MR. McCURDY:

Okay. We've certainly focused on that particular statement in the brochure and we brought it to the attention of the Planning Board at last Wednesday night's meeting. In the Town of Islip you only have to be 52 years old to be considered a senior, and typically you're still working at 52, so we think there's a large disconnect between that number stating senior citizens drive less and what 52 years old really means when it comes to traffic. We believe 52 means husband and wife both are working for the next 12 or 13 years, it also might very well mean that they have a child who though is not attending school is still living with them and is going to work as well.

Also, the condominiums come with a boat slip, so it's our contention that anybody who can afford a 600 or \$700,000 condominium with a boat slip is certainly going to invite their friends to come on over and enjoy it. So we see that speaking to incredible weekend traffic. So we think that that statement on its face is absurd and we brought that to the attention of the Planning Board. And just recently one of our members forwarded me an e-mail and it was a quote that Mr. Anniboli had made to a senior citizens publication, and I'll paraphrase but the quote was Mr. Anniboli stated that he's discovering his developments need more parking space and garages because his residents travel so much that to call them a senior is a misnomer. So really feel that those numbers are flawed. Now, you might ask, well, what about CEES?

LEG. VILORIA-FISHER:

Let me go back to this now. What is the existing pattern, which would

17

it be most like on this chart? I mean, when the oyster -- when the Bluepoints --

MR. McCURDY:

I've been living on Atlantic Avenue for 12 years and over the 12 years time there was morning traffic with -- and sometimes mid afternoon traffic when they're shipping their oysters and clams, so we're used to trucks but maybe twice out of Bluepoints, maybe two or three times a day. And then as far as its staffing, maybe 14 or 15 cars that came in the morning and went in the afternoon. We've got this marine industry that's going on down on Atlantic Avenue, so we're used to a little something but typically it's during Monday through Friday when we're all at work, whereas a condominium project we believe would raise levels of traffic on weekends when we're all home and when our kids are out playing in the streets and such. Atlantic Avenue is a very narrow street, it was built around 1850 or so and I think at points it's only 20 feet wide, so you really can't get two cars parked on either side and get two cars through, you've got to stop and let another car come through.

LEG. VILORIA-FISHER:

So there was existing truck traffic.

MR. McCURDY:

Yes.

LEG. VILORIA-FISHER:

And what kind of accessibility is there, you know, was there during the operation?

MR. McCURDY:

To?

LEG. VILORIA-FISHER:

To the shoreline.

MR. McCURDY:

Well, the Bluepoints facility is pretty much self-contained so you really didn't have any public access to Bluepoints. You can walk down to --

LEG. VILORIA-FISHER:

-- so we're trying to create access.

MR. McCURDY:

Without a doubt it would create access.

LEG. VILORIA-FISHER:

Okay.

MR. McCURDY:

Blueprints has got a fence up around it. There is some minor public access down at the foot of Atlantic Avenue, you can see the small pair that sticks out there and that is enjoyed by the public. As well, there is some public use of the fields. You see the two large fields that are just north of the site which are part of the proposed parcel

18

to be condemned, those are used up by children on a fairly frequent basis.

LEG. VILORIA-FISHER:

They were just open fields, they weren't fields that were --

MR. McCURDY:

Right, as you see them now.

LEG. VILORIA-FISHER:

They belong to the company?

MR. McCURDY:

Yes, they're part of the facility.

LEG. VILORIA-FISHER:

But they weren't fenced in?

MR. McCURDY:

No, those are not fenced in. The open fields, there's some telephone poles around the parameter to stop cars from driving on to it, but as far as access the kids have had access to it.

LEG. VILORIA-FISHER:

Okay. As far as the consortium, you mentioned earlier that you were trying to establish a -- I don't know if you called it a licensing agreement with the County to create this multi-use facility. I'm trying to envision the type of program that this would come under that would enable that kind of -- Counsel is not here but perhaps the Chair can help me sort that out, what type of program, what type of acquisition this would be that would enable us to come into this kind of --

CHAIRMAN BISHOP:

I just asked Legislator Fields that very question, which program this was being purchased under.

LEG. FIELDS:

I put this in many months ago.

LEG. VILORIA-FISHER:

I have the resolution.

MR. McCURDY:

We have had conversations --

LEG. VILORIA-FISHER:

I was thinking in broader terms what kind of licensing agreements these would be that we would be able to work with all of these different entities.

LEG. FIELDS:

I believe it would be the same that we've utilized with Sagtikos Manor. If you recall, several months ago Sagtikos Manor had the same kind of a presentation where various groups that were in favor of acquiring it came and they were going to work together in order --

19

LEG. VILORIA-FISHER:

Actually -- I'm sorry. This resolution just calls for the issuing of a public hearing.

LEG. FIELDS:

Right, for a condemnation.

LEG. VILORIA-FISHER:

Okay. So the program isn't specified here, Mr. Chair.

MR. McCURDY:

But I think that speaks to the -- to interrupt, I apologize but I think that speaks to the mechanics which is the last part of my little agenda here. And the term I had mentioned was a lease and the way we've conceived it is that the County acquires the property through condemnation and then enters into a triple net lease with CEES, so you would lease it to CEES.

LEG. VILORIA-FISHER:

But we would have to have a funding source for it and that's what we're talking about when we're talking about program, we have to be able to pay for it.

MR. McCURDY:

Right. We've had some earlier conversations with Commissioner Isles and I've gotten what I thought was a favorable indication, but I wouldn't be able to quote chapter or verse.

LEG. FIELDS:

It was Quarter Percent.

CHAIRMAN BISHOP:

Which part of the Quarter Percent?

LEG. VILORIA-FISHER:

Is it the new Quarter Percent?

CHAIRMAN BISHOP:

I have a question of the attorney; Mr. Sullivan is it?

MR. FITZGERALD:

Fitzgerald.

CHAIRMAN BISHOP:

Fitzgerald, excuse me. When government acquires by eminent domain, what's the standard that the court uses to determine the price paid?

MR. FITZGERALD:

The current use of the property. You know, the fair market value, the current use of the property, so it wouldn't be as it's zoned today.

LEG. VILORIA-FISHER:

Which is commercial.

CHAIRMAN BISHOP:

I think it's -- well, Legislator Guldi is a real estate attorney; you disagree with that?

LEG. GULDI:

In the analysis you also have to consider highest and best use, not just current use.

MR. FITZGERALD:

Yeah, but -- you're right, it does have to be highest and best use, but that has to play into the zoning issue and this has a real tough burden to get passed in order for them to rezone it to Residential C.

LEG. GULDI:

Granted, but the risk we'd run and one that I'm willing to run on this

particular acquisition, the risk we would run is that if we approve the condemnation steps and then the town approves the subdivision --

CHAIRMAN BISHOP:
Right.

LEG. GULDI:
-- and the analysis of what it's worth with the subdivision or with the density or with the zoning change or whatever they're required, the cost then could run away with us. That assumes, however, some good faith on the town's level which is one of the reasons we've been reticent in the past and have -- in fact, the State got burned in the past in connection with using condemnation to acquire or preserve land.

MR. McCURDY:
I did try to address that point when I indicated we know the contract price the developer has now is a million six, so I think it's a reasonable expectation that that value is predicated upon the zoning change.

LEG. GULDI:
I wish that that were so.

LEG. CARACCILOLO:
Mr. Chairman, is there anyone here from the Law Department?

CHAIRMAN BISHOP:
No, there's nobody here. All right, are there any further questions?

MR. McCURDY:
If I could just wrap up by saying --

CHAIRMAN BISHOP:
Sure.

MR. McCURDY:
-- we do have a head steam and much momentum behind us and we'd very much request the committee to move on this today, if at all possible, so we could bring this into the full Legislative body in August.

LEG. CARACCILOLO:
Mr. Chairman, I believe Ms. Costigan is in the audience.

CHAIRMAN BISHOP:
Yeah, but we hear from them in the normal course of business. Let me run the meeting.

LEG. CARACCILOLO:

Well, I think it's important that you folks stay put until we get to this resolution --

CHAIRMAN BISHOP:

Yes, that's true.

LEG. CARACCILOLO:

-- so you can hear the complete record of discussion that's going to take place.

CHAIRMAN BISHOP:

That's fine.

MR. McCURDY:

And I do have some handouts, if I could.

CHAIRMAN BISHOP:

Yes. Do you have a conclusion?

MR. McCURDY:

I believe we're here to answer any of your questions and we hope that the committee moves favorably on this resolution request.

LEG. VILORIA-FISHER:

Thank you very much.

CHAIRMAN BISHOP:

Thank you very much for the presentation. I think the standard is just compensation, if I have the phrase correctly. So what is just compensation, is it at the moment that the County takes title, is it the moment that we --

LEG. GULDI:

The value is, yes. The value is as of the time you take title but the computation also looks not only at present use and contract to mortgage value but also highest investors analysis has to be part of the litigation that we'll ensure.

CHAIRMAN BISHOP:

Right. Now, I have a card from Mr. McCurry; are you part of the civic association as well?

MR. McCURDY:

I didn't know that my cohorts had actually filed a general purpose card.

CHAIRMAN BISHOP:

Oh, that's you. Okay.

MR. McCURDY:

So I apologize for --

CHAIRMAN BISHOP:

No, that's all right, I just want to know. How about Mr. Febrizio; has his perspective been heard or you want to come forward?

MR. FEBRIZIO:

No, I would like to say something.

CHAIRMAN BISHOP:

Sure.

MR. FEBRIZIO:

Thank you for listening to all of us today. My name is Louis Febrizio and I am a member of the West Sayville community. I have been watching this whole thing very carefully for more than a year since we first began to hear about the possibility of the demise of the Bluepoints building and of further possible destruction to the bay by more condominiums and more fertilizers and all that kind of thing.

The County has clearly done a commendable job of preserving open space over the past years. Think about the name of where we live, Long Island, we are defined by the water that surrounds us, we are an island; that is perhaps the greatest open space that we have. And I think that this represents an opportunity for the County to take a major lead in preserving not just three acres that will -- you know, granted we would all love to have more access to the bay and I definitely want that, but you have an opportunity to take the lead on preserving a location that can actually help promote and preserve and restore the water that surrounds us, and I think that this is something that we really don't want to miss. No one is ever going to look back and say, you know, "Isn't it great that we built these condominiums on the bay," but people may look back and say, "What a shame, we lost an opportunity to preserve those wells and try and, you know, restore the water that is becoming increasingly polluted." And there are stories about that all the time that you can read or see on TV or hear on the radio. So I just wanted to encourage you to think about that, that we have an opportunity to do that here and to do it without further polluting the bay or anything like that.

Regarding the Stony Brook issue that I've heard people talking about. Again, I've been watching this whole thing, I've talked to actually a student there who also says that what is being offered there is not adequate for that use. So I don't even think there's really a valid alternative proposal to this. If these condos go up, not only will

they continue to add to the polluting of the property of the area and the surrounding waterways, they will not be providing anything positive. Because I was at that meeting the other night and watched carefully, he did not really provide anything other than, "And I'd like to promote" -- you know, "I'd like to offer some land back and let Stony Brook do something with it." But I have a very hard time believing that that's ever, ever going to happen, I think this is the only opportunity for something like that to happen.

23

And also, as far as that, having an opportunity for there being one say university or one entity working on this versus a consortium, the consortium idea just seems so much better to me. I mean, out of more people and more groups you're going to get more ideas, almost more competition. I don't know, I mean, I have no idea exactly how it's going to work but, you know, I think that competitive edge, having different groups working together but also on their own things I think would be very positive and I think it would help them overall to be more honest in what it is that they are finding and being able to do.

And I just think it's a great idea and I would really urge your serious consideration to be a leader in this area and do what the South Shore Estuary Reserve Comprehensive Management Plan, among other things, is really encouraging for this area. It's a precious piece of land and space that people really will appreciate having some day and I believe they'll look back and thank you if you're able to do this.

LEG. FIELDS:

I just want to inform the committee that Mr. Aniboli did sit down with me and propose what it is that is the present plan, but he told me that in order to donate the parcel of the property for a maritime center or research or education would only be if I would give or the County would give the parcel -- part of the parcel that we have already acquired, the NYCON Park, to them because it was not large enough for him to -- for the Stony Brook group to utilize.

So based on the fact that he is assuming that he might give part of the property to this group, it would only be based on the fact that we would give some of our property up to that group also. I don't think that I'm willing to do it and when I am no longer a Legislator the Legislator that will take over that property would not be -- I've spoken to him, he's part of this resolution, would not be willing to do that. So the presumption is that you're thinking, well, why don't we compromise, you're still going to get what you want; you will not get that and once that happens the developer will then increase his condominiums from 21 back up to 30 or more. So the presumption that we're going to get some of what we want is totally disingenuous at best.

MR. FEBRIZIO:

Thank you very much. Please do the right thing.

CHAIRMAN BISHOP:

Thank you. Are there any other members of the public who wish to be heard this afternoon? If not, then we will move to the agenda and ask the representatives of the government to step forward. Actually, we'll start with Mr. Bagg; why don't we do the CEQ's. Do we have any? Of course we do.

CEQ Resolutions

47-03 - Proposed SEQRA Classification of Legislative Resolutions Laid on the Table on June 20, 2003 (Type II Actions). Motion by Legislator Fisher, second by Legislator Haley. All in favor? Opposed? Approved (VOTE: 5-0-0-1 Not Present: Legislator Fields).

24

48-03 - Proposed SEQRA Classification of Legislative Resolutions Laid on the Table on June 24, 2003 (Type II Actions). Same motion, same second, same vote. Approved (VOTE: 5-0-0-1 Not Present: Legislator Fields).

49-03 - Proposed development of a Suffolk County Water Authority Well Field at Dwarf Pine Plains County Park, Town of Southampton (Unlisted Action; Negative Declaration).

LEG. GULDI:
Motion.

CHAIRMAN BISHOP:

Motion by Legislator Guldi, seconded by Legislator Caracciolo. Negative Declaration. All in favor? Opposed? Approved (VOTE: 5-0-0-1 Not Present: Legislator Fields).

CEQ 50-03 - Proposed development of a Suffolk County Water Authority Well Field at Laurel Valley County Park, Town of Southampton (Unlisted Action; Negative Declaration). Same motion, same second, same vote. Approved (VOTE: 5-0-0-1 Not Present: Legislator Fields).

And 51-03 - Proposed CR 83, North Ocean Avenue over I-495, Bridge widening and rehabilitation, CP 5849, Town of Brookhaven (Unlisted Action; Negative Declaration).

LEG. HALEY:
Motion.

LEG. VILORIA-FISHER:
Second.

CHAIRMAN BISHOP:
Motion by Legislator Haley, second by Legislator Fisher. All in favor?
Opposed? Well done by the red coat.

MR. BAGG:
Thank you.

LEG. GULDI:
Good presentation.

CHAIRMAN BISHOP:
Those mind controlling waves were --

LEG. VILORIA-FISHER:
A man of many words.

CHAIRMAN BISHOP:
The Planning Department is here. Ms. Costigan, are you here?

DIRECTOR COSTIGAN:
Yes, I am.

CHAIRMAN BISHOP:
The usual suspects have arrived.

25

DIRECTOR ISLES:
Mr. Chairman, prior to starting the agenda, there's just one item I'd
like to very briefly bring to your attention.

CHAIRMAN BISHOP:
Sure.

DIRECTOR ISLES:
Lauretta Fischer is handing out a report that the Planning Department
recently completed and this is a follow-up to discussions at both this
committee level as well as with the Parks Trustees. And what the
report is, and you can certainly read it in your leisure, is a
breakdown of all the County's acquisition programs ranging from
Farmland to Drinking Water Protection to our Land Exchange Programs
and so forth, it also includes all the backup resolutions. So we
think it will be a helpful guide in terms of assessing future
acquisitions.

It's also I believe a first step in terms of any future open space

planning we're doing in terms of any modifications of existing plans to have this as a starting point. So if you have any questions regarding any of the material, feel free to contact me and we hope it's useful to you.

CHAIRMAN BISHOP:

I have a question regarding a recent flurry of media activity which is centered on the notion that we're losing -- that our pace of land purchases has slowed significantly and we're losing deals. I just wondered, do we have a list of potential acquisitions that have not occurred because we cannot go more than 10% above the appraised value and what the demand of the sellers were in those situations?

DIRECTOR ISLES:

We don't have a list to that exact effect and certainly Ms. Costigan from the Real Estate Division is here and can perhaps speak more specifically. But what I can say is that there is no doubt that at times we negotiate with property owners to acquire land and sometimes we can make a transaction, sometimes we can't.

In terms of the new rules, I think most of the new rules are very positive, they provide very good guidance, clarification to the department. But I think we have to accept the fact that there will be times when with being locked into the mean or with the Legislature having the ability to go 10% above the mean, that there will be parcels we will not acquire. So there are cases where that has occurred. Which I think what I've tried to do is identify to you parcels where we've had rejected offers, but I would just caution that they may or may not be due to the fact that they're within the mean or not within the mean, number one. And number two, these matters have a way of coming and going, so something that I may think is dead that the owners walked away from the table and a few months later they reappear at the door.

But fundamentally, and let me just state that of the hundred resolutions that are currently pending in the pipeline and various stages. There is an attrition rate and that's either the owner is not

interested or they don't accept the offer we make and so forth, so there is a certain loss factor that happens that is perhaps I think somewhat higher now with the standards we have.

CHAIRMAN BISHOP:

And what I'm looking for is some quantification of that rate; that's actually a very good way to gain some perspective on it. The other question I have for you is am I wrong in being miffed, I guess is the word, at the appraising profession? Isn't it -- shouldn't

Legislators and planners have an expectation that appraisals will come relatively close to each other if appraising is a profession that we're all to rely on? How can we have appraisals that vary a hundred percent in some circumstances?

DIRECTOR ISLES:

Well, I'm not an appraiser but I understand what you're saying because for the past year now we've been getting two appraisals on most acquisitions and it is not uncommon to see a wide spread in the two differences of value. I think it gets back to the fact that an appraisal is a professional opinion of value, a professional judgement and it's not gospel, it's not the Ten Commandments. So we -- I don't think we should put over reliance to it. There's an obligation to pay fair market value or not, exceed fair market value, to not gift a public assets and so forth. And an appraisal is a good way of getting the temperature on the market and I think for government we've got to be extra careful in terms of using these controls we have. But no one should believe that there's a magic in terms of there's always going to be one right answer on what the value of the property is.

CHAIRMAN BISHOP:

No, but an appraisal should be -- it's like a photograph, right, it's supposed to take a snapshot in time? It's not supposed to be a Jackson Pollack, you know, you look at it and it's what you see in it and it's terribly frustrating to make policy when we're faced with these wide variations. Is the problem getting worse? Is there a reason this has happened?

DIRECTOR COSTIGAN:

I think it's not that you're miffed at appraisers, it's you're getting educated as to appraisals, that this is the real world of appraisals. Having said that, I think we're improving the situation in that we now order appraisals differently from how we did before thanks to the new General Certified Appraiser. I mean, it used to be you would give us a planning steps resolution for 27 acres on Mudd Creek or whatever and we'd give it to the appraiser and that was pretty much what the whole system was. Now it goes to the General Certified Appraiser who goes out and looks at the property, who frames up as if he himself were going to do the appraisal, he frames up the appraisal questions, he frames up the way the answer should be philosophically approached.

CHAIRMAN BISHOP:

And we still get a hundred percent credit.

DIRECTOR COSTIGAN:

That should help. And you know, he hasn't been around all that long. So the worst ones that you've seen were not ones that he sent out.

CHAIRMAN BISHOP:

Okay, so this is going to help --

DIRECTOR COSTIGAN:

I hope you're going to see an improvement. You will never see two polaroids, though.

CHAIRMAN BISHOP:

Yeah.

DIRECTOR COSTIGAN:

And if you expect that, prepare to be disappointed, you're going to see, you know, two impressionist paintings, not a sergeant and a Jackson Pollack.

LEG. VILORIA-FISHER:

Not quite Jackson Pollack.

LEG. CARACCILOLO:

May I?

CHAIRMAN BISHOP:

Sure, Legislator Caracciolo.

LEG. CARACCILOLO:

To illustrate the point that the Chairman makes, Mr. Isles, is to briefly discuss with the committee the recent controversy surrounding the Riverclub Property which we sponsored a planning steps resolution for. Can you just kind of give for those who may not be aware of the recent newspaper accounts of more than one hundred percent differential between the County's appraisal and in this instance a town appraisal.

DIRECTOR ISLES:

Okay. What I can report to you, and just very briefly is that the Legislature had approved a resolution over a year ago to authorize planning steps, we then began the process through the Division of Real Estate to get an appraisal on the County's side. Simultaneously, the Town of Riverhead did the same since it was going to be a partnership acquisition with the Town of Riverhead. We received the appraisals in late winter, early spring and then began the appraisal review process which was rather lengthy in this case. The result of that was that there was a wide disparity of the value of the properties. Some of these numbers have been recorded somewhat accurately in the press, not completely, be essentially we had a potential range in value of about \$3 million. So one appraisal being three something, the other one being six something, and interestingly both accepted by our appraisal review staff in terms of meeting the requirements of the County Charter and the professional standards and so forth. In that case --

pardon me. In this case, the Town of Riverhead chose to make an offer based on their appraisal and they're proceeding as far as we can tell in terms of the public hearing process. We have now suspended this in terms of it was anticipated as a joint acquisition, so that's where we sit at this time.

28

LEG. CARACCILOLO:

Okay. But I guess the essence of the inquiry the Chair made was how do you fundamentally have one appraisal come in, the original County appraisal was two five, the three one is adjusting -- a time adjustment to bring it to the current.

DIRECTOR ISLES:

I think it's a little higher than that, but okay.

LEG. CARACCILOLO:

Okay. The town appraisal from the start was six five, so if they were to adjust theirs for time loss of money it would be seven plus.

DIRECTOR ISLES:

Right.

LEG. CARACCILOLO:

That said, there's a huge disparity between those figures. The County's appraisal was predicated on the land being looked at in its current state vacant, vacant property?

DIRECTOR ISLES:

I don't have the appraisal report in front of me. I think it did look at it as being raw land but -- and here again, one appraiser may say well based on the facts that I've reviewed I'm only going to look at it as being unsubdivided for our land. The other one may say that while there was a subdivision approved and filed in 1968, there's a pending application for a special permit for condominiums and draw a different set of conclusions from that same information and a different determination of value.

LEG. CARACCILOLO:

Okay. But then that appraiser that is looking at it based on an approval that is yet to be granted has to factor in -- and this is a question, I don't want to make a statement, you can correct me if I'm wrong -- do they not have to factor in what is the likelihood that they would receive a special permit to build 222 condominiums and a marina on a piece of property given DEC and other setback requirements from the shoreline; in this case, the Peconic River. I mean that is -- appears to be very speculative on the part of an appraiser to go out and make that quantum leap that the town -- this also is not as I

understand it within the sewer district of the town, so you have that issue to contend with. How in the --

LEG. HALEY:

Can I interrupt just for a second?

LEG. CARACCILOLO:

Well, let me just --

LEG. HALEY:

On your point, particular point.

LEG. CARACCILOLO:

On the sewer district point?

29

LEG. HALEY:

No, just prior to that.

LEG. CARACCILOLO:

Okay, go ahead.

LEG. HALEY:

Okay? About appraisals, most times I find review the appraisals, the appraiser puts in the assumptions that they're making and how they come to those conclusions. The problem you have is that you have to decide whether or not you accept those assumptions. So you can get a wide quite of disparity in appraisals because somebody made assumptions or didn't. Most appraisers write appraisals as if they had to go to court, all right? And in that is this is what my assumptions are, and then they can assume almost anything and it's just whether or not you want to accept that.

LEG. CARACCILOLO:

I guess the fundamental question I'm raising and I'd like someone there to answer, is that a reasonable on the part of an appraiser to make an assumption that even though this property is vacant and a contract vendee is an applicant to change the use of that property to much higher and more intensity than currently permitted under law, is that -- is that what's done in terms of the science or the art of appraisals?

DIRECTOR ISLES:

I think just one comment before Ms. Christine Costigan comments. But number one, here again, I can't dissect or comment too much on the appraisal without having the appraisal in front of me and perhaps our appraisal reviewer.

LEG. CARACCILO:

Well, have you seen the town's appraisal, Tom?

DIRECTOR ISLES:

Yes, I have. Let me just make one point and that is that the appraiser also looked at the fact that the parcel is currently subdivided for 159 lots, and I remember there was a comparison between the two. Now, in terms of the status of that subdivision since it was approved in 1968, the parcel was upzoned since then; are the parcels in single and separate status? I don't know. But he did -- so my only point is that he looked at two scenarios for development, the condominiums and the 159 lot subdivision and with a review of all the information came to his conclusion. So just so you know, it wasn't just the condominium.

LEG. CARACCILO:

Okay. So I guess in terms of the department, and division in particular Christine, are review appraisers concurrent with that approach by that the town appraiser?

DIRECTOR COSTIGAN:

Our appraisal reviewers found that the approaches used by the two appraisers in that sent both qualified under the town -- under our regulations, the County regulations. It's permissible to look at

30

things to take an opinion of the appraiser, they can either take a subdivision approach or they can take the raw land approach, and if they're going to take the subdivision approach and subdivision has not occurred yet, then the standard under USPAP -- perhaps I don't quote exactly, but the gist of the {standard under use pap} is that their conclusion has to be defensible, it has to be a probable outcome. And in that instance and in most of the instances where that sort of thing happens, the appraiser tells us who did he talk to, what did that person say, how did he reach that conclusion. I think in that instance the appraiser talked to the head of the Planning Department and the supervisor and the sub -- talked to numerous people in the Planning Department who said yeah, you can rely on it.

LEG. CARACCILO:

How could anyone rely on something that requires the approval of a town board?

DIRECTOR COSTIGAN:

Because the appraiser has to rely on something and the experts --

LEG. CARACCILO:

Well, now let's go to the issue before us, Bluepoints. Because while

it's not identical, there are similarities in this respect. You have a developer who would like to build a condominium project with marinas and there are those who spoke earlier about preserving this particular site and putting it to educational and other use and they'd like the county to consider condemning the property. So let me go right to the heart of the question that I would have liked to have -- you know, get your input from earlier and that is what is the approach that will be used to determine this property's value?

DIRECTOR COSTIGAN:

Well --

LEG. CARACCIOLO:

For condemnation purposes; is it as Mr. Guldi stated, highest investment?

DIRECTOR COSTIGAN:

It will be framed out by the general certified appraiser, it will be the highest and best use, that's what they will get the number for. But whether they will use -- I mean, this is a change of zone, this is a serious change of zone with no prior history. River Club had already an approved prior permit and a map.

LEG. CARACCIOLO:

Which some question whether or not is still in effect.

DIRECTOR COSTIGAN:

Right, but it did once upon a time have something, it had already been reviewed and approved. This is totally a new piece, I don't think they're analogous in that sense. But in terms of how the appraisals will proceed, that will be framed out by the General Certified Appraiser.

LEG. CARACCIOLO:

Well, just to backup a moment to River Club; what is your understanding of what this property is zoned for today; Tom?

DIRECTOR COSTIGAN:

I'm not prepared to speak on that.

DIRECTOR ISLES:

My understanding is that it's half acre residential zoning.

LEG. CARACCIOLO:

It is not a 222 unit condominium with a marina.

DIRECTOR ISLES:

No, that's a --

LEG. CARACCIOLO:

Which is what the town appraisal is for.

DIRECTOR ISLES:

As I said, the town appraisal, in my recollection, I don't have it in front of me, took into consideration the condo project, the application pending for a special permit, and a special permit carries with it a presumption of harmony with the zoning, it's not a change of zone. And then secondly, it looked at the 159 unit subdivision map approved in 1968, so that's how that came about.

LEG. CARACCIOLO:

Okay. We have -- none of us have seen the, quote, developer's appraisal for \$11 million.

DIRECTOR ISLES:

I have not.

LEG. CARACCIOLO:

Okay, thank you.

CHAIRMAN BISHOP:

Legislator Fields makes a motion to take 1592 out of order, seconded by Legislator Fisher. All in favor? Opposed? 1592 is now before us.

1592-03 - Authorizing public hearings pursuant to Article 2 of the Eminent Domain Procedure Law of the State of New York in connection with the acquisition of land known as Bluepoints Company Property - Uplands, Town of Islip, Suffolk County, New York (Fields).

Legislator Caracciolo has already initiated a discussion of some of the issues. Mr. Isles, Ms. Costigan, do you have an opinion on this resolution?

DIRECTOR ISLES:

The only thing I'll make a point on is that this was obviously considered in a planning steps resolution last year, as referenced by Legislator Fields, that was approved by the Legislature and it was signed by the County Executive, the County Executive supported the resolution. We then attempted through the Division of Real Estate to

contact the owner and we did not have a willing seller or willing party to at least discuss it.

So in terms of your general question, the posture of the

administration in the Department of Planning on this property, we did support the planning steps resolution, we do -- we did note at that time the proximity to County land both to the east as was mentioned, the NYCON property, as well as to the west, one lot removed or two lots removed to the West Sayville Golf Course and Marine Center there. So in terms of the matter before you right now, the issue is to authorize a public hearing, once the public hearing is held, findings and determinations would have to be brought back to the Legislature for consideration. And in terms of the issue then of the condemnation, I definitely feel, we feel on the behalf of the Planning Department that it is definitely a tool in the tool box of acquisition techniques, however it's a tool that usually is used as a tool of last resort. And so then it becomes a judgment value as to the importance of the parcel relative to the cost, the upside cost of -- because you don't go into it knowing what the price is in the beginning.

LEG. HALEY:

May I? George is not here, but typically when you have condemnations you'll find out that you will pay above market value for condemnations in almost every single time. There's experts out there that do this and you wind up with a judge making a decision and the judge will look at that appraisal, just like you do, and say, "You know what? Is that a fair assumption or not assumption," he's going to make that decision. So I'm in support of this and I understand it's a tool and I'd like to use the tool, but I do understand at the end of the day you're probably going to pay more for it.

CHAIRMAN BISHOP:

Legislator Caracciolo.

LEG. CARACCIOLO:

On the rejection by the property owner when solicited by the County, is that in writing; it's in the file?

LEG. FIELDS:

Yes, yes.

DIRECTOR COSTIGAN:

Yes, he did, he did send a letter, that's right. We spoke to him on the phone and he sent a letter and he said he was not interested in discussing sales.

LEG. CARACCIOLO:

Do you know if at that time was he in contract with the --

LEG. FIELDS:

Yes, he was.

LEG. CARACCIOLO:

He was, so he was not in a position to entertain an offer then,

basically.

33

DIRECTOR COSTIGAN:

We don't know that, if you say so.

LEG. CARACCILO:

Okay.

DIRECTOR COSTIGAN:

He just told us he was not interested in discussing it.

CHAIRMAN BISHOP:

Mr. Isles, Ms. Costigan, during the time I've been here, that's more than a decade now, I have always told perspective sellers that the County absolutely does not condemn property for environmental purposes; is that a rule of the County, is that a self-imposed discipline that we're now rightfully abandoning? Where does that come from and what's the administration's perspective on it?

DIRECTOR ISLES:

Okay. The water quality -- the Drinking Water Protection Program, the new program, speaks of the methods and programs under which land can be acquired which is what this came in under, and it speaks of the word the County may utilize its efforts to acquire property. It does not say that it must be done through negotiated acquisitions, it does not preclude condemnation. In terms of -- obviously it's your judgment as to whether you feel there is a public purpose and a fiscal justification for this and also for making a SEQRA determination on this. But I think, here again, speaking on behalf of the Planning Department and my experience not so much with the County but with the town, I think condemnation is -- here again, it does carry with it certain baggage and risk and so forth, however I do think that it's an appropriate tool at times and should be used very judiciously and carefully. But I think it is something that shouldn't be thrown out and, you know, I think in terms of even as a negotiating tool in terms of the -- the option that the County can exercise that if it feels there's sufficient public purpose and benefit to it, I think it's something that's important to keep on the table.

CHAIRMAN BISHOP:

So there's no statutory or administrative rule prohibiting it.

DIRECTOR ISLES:

Not that I'm aware of.

CHAIRMAN BISHOP:

It's just been a practice --

DIRECTOR COSTIGAN:

In reviewing the past --

CHAIRMAN BISHOP:

That we've engaged in.

DIRECTOR COSTIGAN:

-- history of acquisitions, I find no prohibition or whatever. I think your self-imposed discipline turn is a good one, although in the old -- I mean, I've spent half my life rewriting a procedural manual

34

and the old procedural manual of course only has in it acquisitions like condemnation because that's all we did before all the new programs were enacted, but all those acquisitions had to do with public improvements. So I think that's the history of it.

I would add that there's the one wrinkle in condemnations and when Tom says we would proceed carefully, once a condemnation bests, it's over. You can argue about how much you're going to pay later but there's no going backwards, whereas once you approve an acquisition voluntarily, it still may not happen because we may not be able to come to terms on a contract; we may have a handshake but we still haven't got it all wrapped up.

CHAIRMAN BISHOP:

This resolution -- I know Mr. Isles made this point and I know Legislator Fisher wants to speak about it, but I just want to emphasize this. This resolution does not commit the Legislature to a condemnation, title will not vest as a result of this resolution. This merely moves the process forward and directs, I assume it's Planning --

DIRECTOR COSTIGAN:

It's us.

DIRECTOR ISLES:

Real Estate, yeah.

CHAIRMAN BISHOP:

It's Real Estate, to begin a process of findings and determinations --

DIRECTOR COSTIGAN:

Yes.

CHAIRMAN BISHOP:

-- which will be submitted to the Legislature ultimately for a vote

and that's the vote that will commit us or reject the proposal; is that correct?

DIRECTOR COSTIGAN:

Yes, that's correct.

CHAIRMAN BISHOP:

Okay. How long is that process?

CHAIRMAN BISHOP:

Well, I mean, we have to add in appraisals and the public hearing and whatnot, so certainly we have to advertise it twice I think; we're probably talking about six months.

CHAIRMAN BISHOP:

And so if in the six month period the Town of Islip approves a zoning change, we are not protected against that.

DIRECTOR COSTIGAN:

Right.

35

CHAIRMAN BISHOP:

So a zoning change would mean that an evaluation change has occurred and the County taxpayer then would have to take that hit.

DIRECTOR ISLES:

The only thing I'm not certain of is that the property is currently zoned business and industrial, so it has a certain value as we speak. How that compares to condos, perhaps the condos are more valuable, I don't know, but --

CHAIRMAN BISHOP:

So there is no discretionary action that the Town of Islip can take that would pump up the value?

DIRECTOR ISLES:

There may be and maybe the rezoning does increase the value, but I wouldn't assume it off the cuff that there is value based on the current zoning, I would assume. So I wouldn't automatically just take the computer point if the Town of Islip takes action therefore the property is going to go up in value; perhaps it will but I don't know that for a fact.

LEG. CARACCILOLO:

Along those lines, Mr. Chairman?

CHAIRMAN BISHOP:

Isn't it true that you're the former Planning Director? Legislator Fisher.

LEG. VILORIA-FISHER:

Okay. I have a few question regarding procedure, because we haven't gone through this process before. The Chairman indicated, I believe Ms. Costigan also indicated, that in voting today, we are not committing ourselves to the process.

DIRECTOR COSTIGAN:

You're not committing yourself to the condemnation, that's correct.

LEG. FIELDS:

At what point are we committed to it?

DIRECTOR COSTIGAN:

You'd have to vote again; there will be another vote.

LEG. VILORIA-FISHER:

When; what happens between now and then?

DIRECTOR COSTIGAN:

Between now and then he have a public hearing.

LEG. VILORIA-FISHER:

Okay. So the question that was subsequently asked by the Chair which was what if between in that six month period setting the public hearings, the public notice, etcetera, the planning -- the town grants the zoning change; we don't have to go forward then with the condemnation.

36

DIRECTOR COSTIGAN:

That's right.

LEG. VILORIA-FISHER:

If we see that it might result in a very high award, we could pull out at that point.

DIRECTOR COSTIGAN:

That's right. I will sketch out a schedule for you. Again, we've never done it other than with Capital Funds and we keep having to come back for you to schedule Capital Funds for condemnations.

LEG. VILORIA-FISHER:

Right.

DIRECTOR COSTIGAN:

So how it works when you don't have to schedule Capital Funds and you're just dipping into project funds, I have to somehow mesh those two things.

LEG. VILORIA-FISHER:

Well, you're segwaying into my next question which is what would you -- now, this is under the Quarter Cent Program. What provisions do we have under that program for licensing with entities to use the facilities?

DIRECTOR COSTIGAN:

That's really quite a different matter because once we acquire property then usually licensing is handled by Parks --

LEG. VILORIA-FISHER:

Okay. But under this program --

DIRECTOR COSTIGAN:

-- as in the example I think that somebody gave.

LEG. VILORIA-FISHER:

-- isn't it a -- pardon me? Which component is this, Tom, of the Quarter Cent?

MS. FISCHER:

The new Drinking Water Program.

LEG. VILORIA-FISHER:

What are the restrictions on use of property, isn't it open space?

MS. FISCHER:

There are none.

DIRECTOR ISLES:

Well, you know, Laurretta just reminds me that there is a facility on a County park in a similar situation that Cornell Cooperative Extension runs on an aquaculture program, I guess that's Cedar Point?

MS. FISCHER:

Cedar Beach.

37

DIRECTOR ISLES:

Cedar Beach in I guess in the Town of Southold.

LEG. VILORIA-FISHER:

Cedar Beach, and it was acquired?

MS. FISCHER:

For parkland.

DIRECTOR ISLES:

Yeah. And so they use a small portion of it in agreement with the County of Suffolk to operate this facility which seems to be somewhat comparable; that's part of a large park, but it is comparable.

LEG. VILORIA-FISHER:

Okay. So you see it as doable, the plan, that it has been discussed by the civic associations?

DIRECTOR ISLES:

Well, I don't know the details of the plan. I think conceptually, and from what I do know at this point, it would seem to me if the County were to purchase this and if the Legislature decided that you wanted to have an agreement with another entity, then through the Parks Department principally there would be a management agreement set up, such as what we've done with Oldfield Farm --

LEG. VILORIA-FISHER:

Right, yeah.

DIRECTOR ISLES:

The Brooksite Drive Park with the Audobon Society and so forth.

LEG. VILORIA-FISHER:

Different concessionaires in the parks, etcetera.

DIRECTOR ISLES:

So the County of Suffolk and the residents of Suffolk enjoy and own in the property with a beneficial stewardship agreement with a third party.

LEG. VILORIA-FISHER:

Okay, another question regarding some of the comments that were made earlier. It was indicated that the developer had agreed to donate the land for use by SUNY Stony Brook, Marine Sciences, but part of that agreement was that we give up part of the NYCON property; do you know anything about those details?

DIRECTOR ISLES:

No.

LEG. VILORIA-FISHER:

And how would they be -- how would we be empowered to do that? We can't --

DIRECTOR COSTIGAN:

You'd have an alienation problem.

LEG. VILORIA-FISHER:

We would have an alienation parkland problem, right? So that -- I don't know who they might have spoken with in order to come up with that.

MS. FISCHER:

They did.

LEG. VILORIA-FISHER:

But there's no agreement with anyone, they just laid that out to you.

MS. FISCHER:

(Inaudible).

LEG. VILORIA-FISHER:

Okay. So there is really no plan, that was just conjecture, a possible scenario.

DIRECTOR COSTIGAN:

It's difficult to see how that would be feasible.

LEG. VILORIA-FISHER:

Well, that's what I would think. Okay. Have you spoken with Stony Brook and their involvement with this?

DIRECTOR COSTIGAN:

Our file was closed after the last planning steps.

LEG. VILORIA-FISHER:

Okay, because by then you were out of it because there was no acquisition going on.

DIRECTOR COSTIGAN:

And if you don't pass this it's still closed, and if you do pass it then we'll talk to a lot of people.

LEG. VILORIA-FISHER:

Okay, all right. Because I have received calls from Stony Brook, from Marine Sciences, and their interest and so I do know that they have a very real interest in this, so I was wondering if you had heard from them.

DIRECTOR COSTIGAN:

No.

LEG. VILORIA-FISHER:

Okay, thank you.

CHAIRMAN BISHOP:

Legislator Fields and then Legislator Caracciolo. Legislator Caracciolo.

LEG. CARACCIOLO:

This question is for the sponsor. Ginny, do you have language in the resolution that calls upon the Town of Islip to put in abeyance any determination as to the application before it?

39

LEG. FIELDS:

No.

LEG. CARACCIOLO:

I'd like to see us consider doing that.

CHAIRMAN BISHOP:

Any such language you understand has no force of law.

LEG. CARACCIOLO:

I understand, but it clearly states the County's intent. I mean, we're all in government, a town government, the county government, you have taxpayers that pay taxes to both entities and taxpayers should be protected. If the County is going to pursue a course of action that's going to use taxpayer dollars, then I think we have every right to call upon the town government --

LEG. VILORIA-FISHER:

Just like Riverhead, right?

LEG. CARACCIOLO:

Yeah. To call upon the town government to assist us in every way that is positive for the taxpayer. And if they choose not to, that's certainly their prerogative, but I don't think it's an unreasonable request on our part.

LEG. FIELDS:

Because of the time problems here, we're a couple of days away from August and I believe that this developer is in the process of trying to tear these buildings down, I don't have time to change the resolution to read in a way that I don't think the town would cooperate anyway. So I'm going to leave it as it is and hope that everyone does the right thing here.

LEG. CARACCIOLO:

Well, the reality is this developer tomorrow could seize a bulldozer on this property and take that structure down and then all of these

proceedings would have been for naught; I hope that doesn't happen.

CHAIRMAN BISHOP:

All right. Have all the questions been asked and all the statements made?

LEG. FIELDS:

Motion to approve.

CHAIRMAN BISHOP:

Motion to approve by Legislator Fields, I'll second the motion. I will, however, note that from my perspective moving the process forward is a good thing, unfortunately, even though the intention of this resolution is that we're going to go it alone and, you know, we can't rely on the Town of Islip to be a partner in this, in essence we do need them to be a partner because if they take significant action that raises the value of this property, is could prove to be cost prohibitive for the County to move forward on the second next vote.

40

LEG. FIELDS:

They did reserve decision last Wednesday night and the last property that they reserved decision on is now going into its second year, and maybe in six months you will have a willing partner.

CHAIRMAN BISHOP:

Yes, let's hope so.

LEG. CARACCILO:

They have the message.

CHAIRMAN BISHOP:

But I would also point out that it would be important for the community, which I'm sure they're willing to, to keep the pressure up on the Town of Islip. Islip doesn't have to do anything affirmative other than don't do anything negative, you know, to keep the County in the game, and so I hope that that occurs. So the motion has been made, I've seconded it. Are there any other statements?

LEG. CARACCILO:

On the motion.

CHAIRMAN BISHOP:

Legislator Caracciolo.

LEG. CARACCILO:

Yeah, I, too, would like to support this resolution with a disclaimer, that being pretty much along the same lines. I'm not going to make a

commitment today to final acquisition purchase until this process plays itself out and a figure is brought before this committee and the Legislature for consideration and I will pay very close attention to the actions the town takes, and if they take actions that inflate the cost of this property, I may not support it for County acquisition at a later date.

LEG. VILORIA-FISHER:

Ms. Costigan, as far as what legislator Caracciolo just said, he said if a number were to come back to us, but we don't have that opportunity. We could see what is transpiring in Islip and their decisions regarding zoning, but once we are in the condemnation proceedings, we don't decide on whether or not we like the number; is that so?

DIRECTOR COSTIGAN:

I'd like to give you on paper what's going to happen, because it really -- this is the one-off, this doesn't fit any of the current rules, and let you know when it is that you get to look at this again to make sure that we're all on the same page of when you -- what you have to do subsequently and when you have to do it and what you'll be looking at at that time. We'll certainly be very aware of the fact that you want to know how much this is going to cost before title best; and we can always come back to you with anything at any time.

DIRECTOR ISLES:

Right, understanding that even if you have an idea, it may not be

41

decided until it gets into court and it could be a different amount at that point, we don't know.

LEG. VILORIA-FISHER:

Okay. That was always my understanding with regards to eminent domain, that the reason we are reluctant to enter into this kind of situation is because it's a crapshoot and we don't have a choice, it's the court that sets the award.

DIRECTOR ISLES:

If the property owner contests the dollar amount saying it's not a fair market value, or just compensation is the term.

LEG. VILORIA-FISHER:

And?

DIRECTOR ISLES:

Then it can go on.

LEG. VILORIA-FISHER:
Okay.

LEG. CARACCILOLO:
Just to make this point absolutely clear in my mind, Christine,
earlier I heard you say that it will come back to the Legislature in
approximately six months for a vote on the actual amount.

LEG. VILORIA-FISHER:
No.

DIRECTOR COSTIGAN:
No.

LEG. CARACCILOLO:
Well, clarify that.

DIRECTOR COSTIGAN:
I'm really not prepared to go through how this will be because it just
doesn't fit with the schedule of every other condemnation.

LEG. CARACCILOLO:
Right. But before the County --

DIRECTOR COSTIGAN:
I'll give it to you in writing.

LEG. CARACCILOLO:
Are we making a commitment meant today --

DIRECTOR COSTIGAN:
No.

LEG. VILORIA-FISHER:
No.

42

LEG. CARACCILOLO:
-- that's irrevocable?

DIRECTOR COSTIGAN:
No, you're not.

DIRECTOR ISLES:
Today is the public hearing.

LEG. CARACCILOLO:
At the end of the process -- let me just go through it as I understand

it -- findings and determinations are made by the Real Estate Division, they're filed and presented to us. We vote on those, if we vote in the affirmative, title will vest in the County, we'll own it, but then the price will be determined by a court later on or where it could be settled which is the negotiated. But as for when we make the commitment it's at the end of the process when these determinations are made, findings and determinations.

LEG. CARACCIOLO:

Just to follow-up to that. Who then is the entity that we will engage to exercise the County's eminent domain; the property owner or the contract vendee?

DIRECTOR COSTIGAN:

The owner.

LEG. CARACCIOLO:

The owner of the property. And today, who is the owner of this property?

LEG. FIELDS:

First Republic.

LEG. CARACCIOLO:

And who is First Republic?

LEG. FIELDS:

The owner.

LEG. CARACCIOLO:

No, no, no, no; is that the entity that --

LEG. VILORIA-FISHER:

That's the Bluepoint --

DIRECTOR COSTIGAN:

Bluepoints.

LEG. FIELDS:

The contract vendee is the owner.

LEG. CARACCIOLO:

So they're all one in the same.

LEG. VILORIA-FISHER:

No.

CHAIRMAN BISHOP:

No.

LEG. CARACCILOLO:

All right, you're confusing me now.

LEG. FIELDS:

Bluepoints sold the property to First Republic.

LEG. CARACCILOLO:

Subject to?

LEG. FIELDS:

No subject to, they own the property. Then First Republic went into contract with Paul Aniboli to build the condominiums, so he's a contract vendee.

LEG. CARACCILOLO:

First Republic is the property owner.

LEG. FIELDS:

Yep. First Republic's the property owner, Paul Aniboli is the contract vendee.

LEG. CARACCILOLO:

Do we know who the parties --

DIRECTOR ISLES:

RAMCO.

LEG. FIELDS:

RAMCO is his company, Bluepoints, Harbor -- Harbor Club.

LEG. CARACCILOLO:

Who are the principals then of First Republic; who are the principals?

DIRECTOR COSTIGAN:

They didn't respond to any communications we had with them other than to say, "Don't talk to us anymore, we're not interested." So we have no big file on this.

LEG. CARACCILOLO:

I would like that information.

DIRECTOR ISLES:

Okay.

LEG. CARACCILOLO:

So if you could provide that information I would appreciate it.

DIRECTOR ISLES:

If we can get it.

44

LEG. CARACCILOLO:

Yeah, before Tuesday.

CHAIRMAN BISHOP:

We're actually in the debate portion, and we're back to basic questions. Are all statements completed, does anybody else have anything else to say? I'm going to call the vote then. All in favor? Opposed? The resolution --

LEG. VILORIA-FISHER:

I abstain.

CHAIRMAN BISHOP:

And there's one abstention, so one, two, three, four, five; 5-0-1.

LEG. CARACCILOLO:

I'm going to abstain, change my vote.

CHAIRMAN BISHOP:

Okay, 4-0-2; one more and we have a completely different outcome. Okay, it's 4-0-2. Approved (VOTE: 4-0-2-0 Abstentions: Legislators Viloria-Fisher & Caracciolo).

Okay, that resolution is approved; West Sayville people, you may leave.

APPLAUSE

Introductory Prime Resolutions

Let's go to the top of the agenda, 1550-03 - Authorizing planning steps for implementing Greenways Program in connection with acquisition of active parklands at Oxhead Road, Centereach (Town of Brookhaven) (Caracappa).

LEG. HALEY:

Motion.

CHAIRMAN BISHOP:

This is a planning steps resolution only from Legislator Caracappa. Does the Planning Department have anything to say on this?

DIRECTOR ISLES:

No, we think this is at least appropriate for planning steps, it's one

of the few remaining vacant privately owned parcels in the Centereach area. It's relatively cleared, we think it has potential as a good active recreation site. Obviously it would be subject to more information on the details of what they're proposing and a resolution from the Town of Brookhaven. But at this point we would support the planning steps resolution.

CHAIRMAN BISHOP:

So there is a motion by Legislator Viloría-Fisher and second by Legislator Haley. All in favor? Opposed? It's approved (VOTE: 6-0-0-0).

45

1570-03 - To establish Land Development Policy for mixed use smart growth in Suffolk County. I'm going to table that until the next meeting, second by Legislator Haley. Tabled (VOTE: 6-0-0-0).

1571-03 - Making a SEQRA determination in connection with the proposed open space acquisition of property donated by PG Builders, Inc., to Suffolk County within the Patchogue River County Nature Preserve - SCTM No. 0200-837.00-01.00-016.001, Town of Brookhaven (Presiding Officer Postal).

LEG. GULDI:

Motion.

LEG. VILORIA-FISHER:

On the motion.

CHAIRMAN BISHOP:

On the motion, Legislator Fisher.

LEG. VILORIA-FISHER:

Is there anything we should know about this property, is there any environmental issue?

MS. FISCHER:

This property is going to be used for health credits. The property is located -- that we're going to be obtaining is located in the Patchogue River County Nature Preserve area, it's wetland, and the property that the transfer of development rights are going to is an area north of there in Holbrook north of the LIE.

CHAIRMAN BISHOP:

An excellence synopsis, thank you. Motion by Legislator Haley, second by Legislator Fisher. All in favor? Opposed? 1571 is approved (VOTE: 6-0-0-0).

1585-03 - Authorizing planning steps for the acquisition of land under the New Suffolk County Drinking Water Protection Program (Mud Creek

additions - Town of Brookhaven) (County Executive).

LEG. HALEY:
Motion.

LEG. VILORIA-FISHER:
Second.

CHAIRMAN BISHOP:
Motion by Legislator, second by Legislator Fisher.

LEG. CARACCILO:
On the motion.

CHAIRMAN BISHOP:
On the motion, Legislator Caracciolo.

LEG. CARACCILO:
Tom, can you just give us a synopsis in terms of the ranking?

46

DIRECTOR ISLES:
Yes. The parcel -- parcels, this is plural, it's a number of parcels totaling 52 acres running 50 points at this point.

LEG. CARACCILO:
Thank you.

DIRECTOR ISLES:
Okay.

CHAIRMAN BISHOP:
Do we have the information? I'm coordinating all these various papers. You want tell us something about this?

DIRECTOR ISLES:
Fifty-two acres, 50 points and it's an extension of previous acquisitions of the Unitarian Universalist Church property of 30 acres, plus the formal Gallo Duck Farm which was converted from surplus County property to park use. With this we will end up with 128 acres of County land along the Mud Creek Stream Corridor. We think it's a great acquisition in terms of western Suffolk County in preserving land that was previously a duck farm, part of it.

CHAIRMAN BISHOP:
Okay. And we already have the duck farm, correct?

DIRECTOR ISLES:

The duck farm we control, this is north of that and further water quality protection.

CHAIRMAN BISHOP:

Understood. Thank you. Motion by Legislator -- motion having been made and seconded, rather. All in favor? Opposed?

It's approved (VOTE: 6-0-0-0).

1586-03 - Donation and dedication of certain lands to County parks (File No. S02-02-0101) (County Executive).

LEG. HALEY:

Motion.

LEG. GULDI:

Second.

LEG. CARACCILOLO:

Explanation.

CHAIRMAN BISHOP:

What type of development or --

MS. FISCHER:

This is another transfer.

CHAIRMAN BISHOP:

Yes, okay.

47

MS. FISCHER:

And this property that we're acquiring is in the Mastic-Shirley Conservation Area down by Narrow Bay. The property that we're transferring development rights to is also in the Shirley area north of the railroad track.

CHAIRMAN BISHOP:

And why is that a policy that we should approve?

MS. FISCHER:

This is actually part of the Narrow Bay Management Plan --

CHAIRMAN BISHOP:

It's in that flood zone?

MS. FISCHER:

-- that's in the flood zone, it's got wetlands, title and fresh; very low lying areas.

CHAIRMAN BISHOP:

Motion by Legislator Viloria-Fisher, second by Legislator Haley. All in favor? Opposed? Approved (VOTE: 6-0-0-0).

LEG. VILORIA-FISHER:

It's going from B to A, right?

MS. FISCHER:

Yes.

LEG. VILORIA-FISHER:

Giving us B and building on A?

MS. FISCHER:

Yes.

CHAIRMAN BISHOP:

1587 is something similar I assume, right? (Donation and dedication of certain lands to County Parks (File No. S02-02-0094).

MS. FISCHER:

That's the same as 571.

CHAIRMAN BISHOP:

Okay. Motion by Legislator Haley, second by Legislator Viloria-Fisher. All in favor? Opposed? Approved (VOTE: 6-0-0-0).

1588-03 - Donation and dedication of certain lands to County Parks (File No. S02-01-0135) (County Executive). Same type of a situation, right?

MS. FISCHER:

Yes, different properties but the same scenario as the other Mastic Shirley Conservation area; again, the transfer would be north of the railroad tracks in Mastic.

48

CHAIRMAN BISHOP:

Motion by Legislator Viloria-Fisher, second by Legislator Haley. All in favor? Opposed? It is approved (VOTE: 6-0-0-0).

1592 we did.

1593-03 - Implementing Pay-as-you-Go 1/4% Taxpayer Protection Plan for Water Quality Protection and Restoration Program for Phase II stormwater Remediation Program for south shore tributaries (Village of Babylon) (Bishop). Motion to table till the next meeting by myself,

second by Legislator Caracciolo. All in favor? Opposed?
Tabled (VOTE: 6-0-0-0).

1594-03 - Implementing Pay-as-you-Go 1/4% Taxpayer Protection Plan for Water Quality Protection and Restoration Program for Phase II Stormwater Remediation Program for south shore tributaries (Town of Babylon) (Bishop). Same motion, same second, same vote.
Tabled (VOTE: 6-0-0-0).

1598-03 - Authorizing planning steps for acquisition under Suffolk County Multifaceted Land Preservation Program (Toussie Property at Sachem Library) -- that gets everybody crazy -- (Town of Brookhaven) (Crecca).

LEG. VILORIA-FISHER:
Talk to us.

CHAIRMAN BISHOP:
Legislator Crecca's aide is here, I don't know if he has anything he'd like to put into the record.

LEG. GULDI:
What are you crazy?

LEG. HALEY:
Notice you said his aide.

LEG. GULDI:
He's too chicken to come down on this one himself, huh?

CHAIRMAN BISHOP:
I just felt like torturing Frank.

MR. TASSONE:
I spoke -- I'm sorry?

LEG. GULDI:
You're all red.

MR. TASSONE:
My hair is red, that's why; I had a couple of glasses of wine before I came here. We spoke to Planning before, we're going to table this, there's some discrepancy with a tax map number.

CHAIRMAN BISHOP:
Very good. Motion to table by myself, second by Legislator Caracciolo. All in favor? Opposed? 1598 is tabled (VOTE: 6-0-0-0).

CEQ we've done, and that brings us to Tabled Resolutions.

Tabled Resolutions

1045-03 - Making a recommendation concerning final scope for the Generic Environmental Impact Statement for Suffolk County Vector Control and Wetlands Management Long-Term Plan (Presiding Officer Postal). Counsel is not here, so I'm just going to table this till the next time.

LEG. GULDI:
Second.

CHAIRMAN BISHOP:
Second by Legislator Guldi. All in favor? Opposed?
Tabled (VOTE: 6-0-0-0).

1112-03 - To establish RFP Committee Process for County Resources Conservation Study. This is the bill directing the -- hold on. This is the Presiding Officer's bill directing the Planning Department to prepare an RFP for the purpose of retaining a specialist in the field of research conservation from municipalities and establishing a five member committee. This has been -- it's been continually tabled up until now.

MS. ESSEL:
It can be tabled.

CHAIRMAN BISHOP:
Motion to table Legislator Guldi, second by Legislator Fields. All in favor? Tabled (VOTE: 6-0-0-0).

1149-03 - Adopting Local Law No. 2003, a Charter Law adding Article XXXVII to the Suffolk County Charter to provide a Suffolk County Save Open Space (SOS) Fund (Fisher). Motion to --

LEG. VILORIA-FISHER:
Table subject to call.

CHAIRMAN BISHOP:
Motion to table subject to call by Legislator Viloría-Fisher, second by myself. All in favor? Opposed? 1149 is tabled subject to call (VOTE: 6-0-0-0).

1184-03 - Appropriating Greenways Infrastructure Improvements Fund Grant for Miller Place property in the Town of Brookhaven (Haley).

LEG. HALEY:
Can I speak to that, please? I'm going to ask to table it but I want

to say something.

50

CHAIRMAN BISHOP:

Okay. Motion to table by Legislator Haley, second by Legislator Vilorio-Fisher. On the motion, Legislator Haley.

LEG. HALEY:

This relates to that 75 acres on active parklands and what happened is there was -- that 75 acres that we wanted was the prime -- was prime real estate that could have been subdivided and built upon and stuff like that where there had been other parcels that DeLea had owned that had a lot of out parcels, old file maps and a lot of out parcels and from practical a perspective would have been very difficult. So we had decided that it would probably be a good idea to try to buy that parcel in open space because that would resolve their concerns in being able to sell that. So we were going to buy that in Open Space and we were going to buy this through Active Parklands, and in the middle he would have the -- what was left over he would have the opportunity to sell, perhaps to develop or continue to farm.

What happened is that he found the developer who wanted everything and was willing to pay for -- to dedicate that, do a transfer development and dedicate that problem area with all the out parcels. The problem we had is that the offer was ostensibly more than we -- our appraisal came up for to. So what I did is I sat and I talked to -- we had numerous meetings down at the town and tried to come up with what we thought might be a reasonable expectation that the town would give them a zoning change that would improve the value on the other parcels the developer was going to purchase, and in consideration for the same DeLea would sell us that property at the appraised value; but that would be a straight deal, strictly a contract, we buy it at appraised value. The farmers feel that they have made somewhat whole because they've gotten a little more yield to sell by unit to the purchaser. We had put a number of individuals together probably, six times maybe, to go over this.

What's happened now is that the contracts have been prepared by -- for the benefit of the seller and they're in the hands of the purchaser. There's no connection between those contracts and the 75 acres. Now, I spoke to Mr. Sass at DeLea Sod Farm, he's prepared to accept and look at the contracts for purchase; the only thing we'd have to do is perhaps update the appraisal because we have that time factor again. And consistent with that, we can move forward in my view for that acquisition as we've approved.

CHAIRMAN BISHOP:

But Legislator Haley, this is --

LEG. HALEY:

No, no, no, I'm giving you a background. Now this, until such time as we approve --

CHAIRMAN BISHOP:

That's all preamble.

LEG. HALEY:

Right. Until such time as we approve that or get that acquired,

51

there's no reason to -- and put in place a management agreement with PAL, this --

CHAIRMAN BISHOP:

Okay. So there's no infrastructure improvement until you actually have the property is what you're trying to say.

LEG. HALEY:

Yeah, you can't really have -- you have to have a group that you're working with, you know, the usual process.

CHAIRMAN BISHOP:

Okay.

LEG. HALEY:

So I wanted to do give you some background because what I'm concerned with is I've checked with Christine recently and Mr. Burke seems to think that the town has something to do with the 75 acres when, in fact, they don't. Seventy-five acres we have approved for acquisition, and I'm begging you to generate contracts because we now can move forward.

CHAIRMAN BISHOP:

All right.

LEG. HALEY:

Now, unless I --

CHAIRMAN BISHOP:

Well, let's get a response from --

LEG. HALEY:

Well, no, in deference to her, Christine, she's not the one to --

DIRECTOR COSTIGAN:

Mr. Haley has been wonderful on this and meeting and meeting and

pursuing. This has numerous moving parts, as he said; it's been the sole responsibility of Jim Burke and I'm not going to even try to and come in late and summarize it. I did, however, check with him -- he's on vacation this week -- last week and he said the contracts could not go out yet. And he had I know exchanged e-mails all around with the seller and this and that, but I can't give you an elaborate explanation other than they're not ready.

CHAIRMAN BISHOP:

But we're closing in on buying a portion of the sod farm for fields; is that the bottom line?

LEG. HALEY:

Correct, but I've had this -- these contracts, in actuality there was no reason why these contracts couldn't have gone out a long time ago.

CHAIRMAN BISHOP:

Right.

52

LEG. HALEY:

It's simply that the seller -- the farmers weren't going to consider our contract without getting the other contracts going, all right? So while we had all sat and had some sort of understanding, we've had no agreement in writing or anything like this. We were hoping to make the farmers whole on their other piece, and I was just simply trying to help; there's no connection, technically or legally, between the two sites. I just ask that Tom, please, all right, I know what Jim thinks but it's not -- our intent is to acquire the property. There is nothing in writing that constraints your department or the Executive Branch from sending, submitting contracts, any contracts out, because typically you want it as to your form. I'm still not sure why Jim feels compelled to hold it up, but in absence of a compelling reason which I've just explained, I'd appreciate if that get done.

DIRECTOR ISLES:

Okay.

CHAIRMAN BISHOP:

I just said to Caracciolo, that's more than you've said in four years here.

LEG. HALEY:

I have to get it all in at the last minute.

CHAIRMAN BISHOP:

All right. There's no -- motion to table by Legislator Haley, second by Legislator Fields.

LEG. GULDI:

Wait, wait.

CHAIRMAN BISHOP:

All in favor? Opposed?

LEG. GULDI:

Before we defeat it --

CHAIRMAN BISHOP:

I sense passion and frustration on that. Tabled (VOTE: 6-0-0-0).

1243-03 - Approving acquisition under Suffolk County Multifaceted Land Preservation Program for Stage II Active Parklands (Holbrook Road, LAAM Property in Centereach) (Town of Brookhaven) (Caracappa).

LEG. VILORIA-FISHER:

Why has that been tabled? I see a Brookhaven Town resolution in here.

DIRECTOR ISLES:

We don't have a willing seller at this point; we don't have a number, we don't have anything to bring back to you. We've communicated with Legislator Caracappa, the problem here is it's originally owned by Matrix Realty, they sold it midway through our process of getting appraisals, we tried contracting the new owner, Real Estate has actually done personal service and do forth. And at this point we

53

don't have someone saying, "Yes, I'm willing to talk to the County to negotiate an acquisition."

LEG. FIELDS:

At this point, motion to table.

DIRECTOR ISLES:

So we can't bring anything to you to look at at this point.

LEG. VILORIA-FISHER:

This is for acquisition?

DIRECTOR COSTIGAN:

Right.

DIRECTOR ISLES:

This is for acquisition, not planning steps.

CHAIRMAN BISHOP:

Not planning steps, okay. So motion by Legislator Fields to table, second by Legislator Guldi. All in favor? Opposed?
Tabled (VOTE: 6-0-0-0).

1246-03 - Authorizing planning steps for acquisition under Suffolk County Multifaceted Land Preservation Program (Property Gabby Lane) (Town of Southampton) (Guldi).

LEG. GULDI:

I'll make a motion to approve. Before you you will find a corrected copy filed today that I've worked up with Real Estate and Planning.

LEG. HALEY:

Second.

LEG. GULDI:

Actually, they prepared the amended resolution converting this from a planning steps resolution to an acquisition resolution. Since the original resolution was filed sometime ago, it's actually I think four months ago, I'll ask them to summarize the {lavoyis} process and double due diligence that we've done to come to the point where they're supporting and participating in this immediate acquisition steps approval on this parcel. Who wants to take a shot at it, just give us a synopsis.

DIRECTOR ISLES:

Well, just in terms of the acquisition itself, it's a parcel that we would support acquisition on, we did do a ranking on it, I think it came in at least 45. It's in the South Fork Special Groundwater Protection area, in the morraignal area. So for the purposes of drinking water protection, it very clear qualifies under the program under the Drinking Water Program.

As far as the acquisition itself, it has gone through the appraisal process. This is a joint acquisition with the Town of Southampton, the county of Suffolk then would be a 50/50 pardon with the Town of Southampton on this one.

54

CHAIRMAN BISHOP:

Our share is two-and-a-half million?

LEG. GULDI:

Our share is two and a half, but my recollection is that the agreed price is below the mean appraised?

DIRECTOR COSTIGAN:

Yes.

LEG. HALEY:
Second.

LEG. GULDI:
So it's actually in terms of the acquisition itself --

CHAIRMAN BISHOP:
You can pick up an acre of land in Bridgehampton for \$200,000?

LEG. GULDI:
Not very often, especially here. One of the things I was concerned about and that Real Estate has done a lot of --

LEG. VILORIA-FISHER:
We're taking shares in it.

DIRECTOR COSTIGAN:
This property had been --

LEG. HALEY:
I'm not though.

DIRECTOR COSTIGAN:
This property had been the subject of a subdivision application some years ago and that application was denied because the property didn't have any access. The property has subsequently gained access by -- there was a road put into an adjacent property that when extended reaches this property. So this property much more recently became more valuable because of the fact it now has access over a public road.

CHAIRMAN BISHOP:
But we're getting the valuation on the old --

DIRECTOR COSTIGAN:
No, we're getting the valuation on the new property; that's just a history.

LEG. GULDI:
If the County doesn't want to exercise its ability to purchase this at this price, I will.

CHAIRMAN BISHOP:
Right.

DIRECTOR COSTIGAN:

The value is still quite -- I mean, it's still reasonable, I'm just saying the property has history from some years ago and you always like to hear history.

LEG. GULDI:

Right. Well, in that history and double and triple checking that history is the reason for the last month's delay.

CHAIRMAN BISHOP:

I'm a little perplexed by something. I make a lot of speeches here about, you know, when the town does something discretionary that pumps up the value we shouldn't go forward, and yet the number is very low. Am I -- did the town do something discretionary that pumps up the value?

LEG. GULDI:

No. I believe and Ms. Costigan convinced me about this because she went and researched the deeded dedication on the road through the adjacent subdivision that's already developed, that the town was compelled to grant the subdivision that this valuation was based on because of its direct access to a public road which didn't exist at the time that the prior owner made its application some years ago to the same subdivision that's been previously denied.

CHAIRMAN BISHOP:

Okay.

LEG. GULDI:

That history is the reason that we've looked at this, looked at this and looked at this.

CHAIRMAN BISHOP:

I'm going to stand on that.

LEG. GULDI:

And frankly, having done that, we're satisfied, they've prepared the resolution. I'm putting it in as the sponsor.

LEG. CARACCILOLO:

Okay.

DIRECTOR COSTIGAN:

Nothing happened specifically on this property, what happened was on the adjacent property.

LEG. GULDI:

Right. And the seller is ready, willing and able and anxious to close, so let's get this one done.

LEG. CARACCILOLO:

Ms. Costigan, Legislator Guldi has mentioned that this property has come in at a value less than the mean value of the two appraisals, the agreed upon price.

56

LEG. GULDI:
Yeah.

LEG. CARACCIOLO:
Yes, that's correct.

DIRECTOR COSTIGAN:
That's right.

LEG. CARACCIOLO:
Okay. What were the two values under the two appraisals; was there a town and County or two counties?

DIRECTOR COSTIGAN:
George, did I send you that package that had to do with it? I just can't remember.

LEG. GULDI:
I believe it was a town and County is my recollection, but I couldn't give you the specific numbers off the top of my head. I'm referring to our prior conversation on the fact that it's such a good deal and that it was below the mean appraised price.

LEG. CARACCIOLO:
Tom, do you have that information?

DIRECTOR ISLES:
Well, what I can say is that this was approved as a prior resolution for full authorization by the Legislature under the Drinking Water 12(5)D Program. It's now being proposed under the new Drinking Water because there are insufficient funds in 12(5)D, so this already has your approval on it. This has been very active, as Legislator Guldi said, discussions about the access sets and so forth, so we had requested the corrected resolution.

What I'd like to offer to you, Legislator Caracciolo and members of the committee, is that prior to next week's full Legislative meeting that we furnish you with perhaps a memorandum that would summarize the numbers we've given you. So rather than doing anything seat of the pants and --

LEG. CARACCIOLO:
That would be fine. And I'll --

CHAIRMAN BISHOP:

Motion to approve is being made by Legislator Guldi, second by Legislator Vilorio-Fisher. All in favor? Opposed?
Approved (VOTE: 6-0-0-0).

All right, 1252-03 - Authorizing planning steps for acquisition under Suffolk County Multifaceted Land Preservation Program (Mediavilla Property), (Town of Huntington). By the way, what is the status of account in the Suffolk county Multifaceted Land Preservation program?

57

DIRECTOR ISLES:

We have that. Well, the current balance of the funds that have been appropriated is approximately \$10.8 million.

CHAIRMAN BISHOP:

We've still got money there.

DIRECTOR ISLES:

We still have money. And then there's money in negotiation and money unappropriated, so there is -- there's plenty of money there.

LEG. GULDI:

Plenty of money, we've got plenty of money.

CHAIRMAN BISHOP:

Legislator Caracciolo.

LEG. CARACCILOLO:

Tom, I don't know if you were prepared today to share with the committee what you and I discussed on the phone the other day about the status of acquisitions that you expect to come to fruition before the end of the year; did you want to mention anything to the committee, just raw numbers?

DIRECTOR ISLES:

Okay. Yeah, and this kind of goes back to some of the media discussions that have occurred. I'll keep it one or two paragraphs, but so far this year we've acquired or obtained 247 acres approximately through either sale or transfer from parks category, a little over \$3 million in acquisitions. In terms of what we have in the pipeline, however, and the process does require the reviews and the dual appraisals, we estimate with the Duke Acquisition and with the Greeff and Rich acquisitions, the SPLIA acquisitions, Camelot and so forth, we have about 23 parcels in contract or in the advanced stages of getting to contract, maybe not fully executed yet. That represents about 430 acres of land, represents a dollar value of

somewhere in the 30 to \$32 million range that will either be fully in contract by the end of the year or purchased by the end of the year, just as a synopsis at this point.

LEG. CARACCILOLO:

So we're back in full swing.

CHAIRMAN BISHOP:

The administration flips so you want to --

DIRECTOR ISLES:

Yeah, let me just add one other thing I'll just mention to you, Lauretta reminds on is that the County did get approved for the EFC loan in June of this year, last month, so we did get a letter. So we now have access to \$62 million in Quarter Percent -- out of the Quarter Percent Program, 21 farms, 41 Open Space. We're now beginning the process of discussing with them the short-term borrowing which we should have an answer by the end of September in terms of how much we can borrow short-term which has been no interest money in the beginning.

58

CHAIRMAN BISHOP:

Thank you. All right.

LEG. VILORIA-FISHER:

We got the approval in June you said?

DIRECTOR ISLES:

Yes.

CHAIRMAN BISHOP:

All right. So now on this specific property, Mediavilla, we tabled it previously; refresh my recollection.

LEG. VILORIA-FISHER:

It's over 35 acres.

DIRECTOR COSTIGAN:

Yes.

DIRECTOR ISLES:

Yeah, I believe so. It is a planning steps resolution.

LEG. GULDI:

Do we have a motion yet? I will make the motion.

CHAIRMAN BISHOP:

All right, let me just -- "This resolution for 35.27 acres of land

known as Mediavilla in Huntington. This is an Active Parkland Stage II acquisition, it means a town resolution will be necessary if the planning steps result in a negotiated purchase. The property is on the northeast corner of Manor Road and Jericho turnpike in Elwood, it is under pressure for construction of 360 townhouses to be leased under two different zoning designations for property, one commercial and one residential." What do you think of that?

DIRECTOR ISLES:

It's adjacent to Burkley Jackson County Park, so the county does own a lot of land in that area. In terms of the status of the application, there's been no referral to the County Planning Commission at this point. My understanding is the town denied a certain application for a mixed use development, whether or not there will be a new application filed I don't know. But as far as the planning steps for active recreation, we don't have any objection to that, whether or not this is going to lead to an acquisition is uncertain at this point.

LEG. GULDI:

Let's go get the information. Motion.

CHAIRMAN BISHOP:

Motion by Legislator Guldi who is eager for information, second by Legislator -- I'll second it. All in favor? Opposed? It's approved (VOTE: 5-0-0-1 Not Present: Legislator Haley).

1253-03 - Authorizing planning steps for acquisition under Suffolk County Multifaceted Land Preservation Program (Property of Stiber) (Town of Shelter Island) (Caracciolo).

59

LEG. CARACCILOLO:

Motion to table.

LEG. FIELDS:

Second.

CHAIRMAN BISHOP:

Motion to table by Legislator Caracciolo, second by Legislator Fields. 1253 is tabled (VOTE: 5-0-0-1 Not Present: Legislator Fields).

1264-03 - Approving the reappointment of Richard M. O'Dea as a member of the Suffolk County Planning Commission representing the Town of Riverhead (County Executive).

LEG. CARACCILOLO:

That resolution has been withdrawn by the County Executive.

CHAIRMAN BISHOP:

That resolution has been withdrawn.

LEG. CARACCIOLO:

I have a copy of memo that was --

CHAIRMAN BISHOP:

Okay, the man who said ill things of the County.

1414-03 - Authorizing planning steps for Greenways Program in connection with acquisition of Farmland Development Rights at Calverton (Town of Riverhead) (Caracciolo). Legislator Caracciolo, this is your resolution.

LEG. CARACCIOLO:

Motion to approve.

LEG. GULDI:

Second.

CHAIRMAN BISHOP:

Oh yes, you're eager for that, huh? Do you have a comment on it? Why did we table it previously?

DIRECTOR ISLES:

Well, we are bringing it to the Farmland Committee tomorrow. It is only planning steps. We perhaps could do it and then fold it eventually into a full authorization at that point, and we can report --

CHAIRMAN BISHOP:

This is a 70/30 split?

MS. FISCHER:

Yes.

DIRECTOR ISLES:

Yeah, Greenways.

60

CHAIRMAN BISHOP:

And when we do the regular Farmland Program it's a what split? 50/50. So you're giving the --

LEG. CARACCIOLO:

No.

DIRECTOR ISLES:

No, we can do a hundred percent.

LEG. CARACCILOLO:

No, no, regular is a hundred percent.

CHAIRMAN BISHOP:

We have a 100% program, a 50% program and a 70% program, or just 100 and a 70?

DIRECTOR ISLES:

We have 100 and a 70 --

CHAIRMAN BISHOP:

And this is in the 70's.

DIRECTOR ISLES:

The Department of Real Estate often times in some acquisitions where the town's willing to put more money into it we'll do a 50/50.

CHAIRMAN BISHOP:

Right.

DIRECTOR ISLES:

But the statute requires that at least 30% come from the town in Greenways.

CHAIRMAN BISHOP:

Right, okay.

DIRECTOR ISLES:

If we get more that's better.

CHAIRMAN BISHOP:

Motion by Legislator Caracciolo, second by Legislator Guldi. All in favor? Opposed? Approved (VOTE: 5-0-0-1 Not Present: Legislator Haley).

1456-03 - Authorizing acquisition under Greenways Program in connection with acquisition of Active Parklands at Iron Point, Flanders, (Town of Southampton) (Caracciolo).

LEG. GULDI:

Have we resolved the issues with the town to permit with this acquisition yet?

DIRECTOR ISLES:

No. The town is moving ahead with doing the acquisition directly from

The Nature Conservancy. I believe the County Executive will be withdrawing the bill.

LEG. GULDI:
Okay. Motion to table.

CHAIRMAN BISHOP:
Motion to table by Legislator Guldi, second by Legislator Caracciolo.
All in favor? Opposed? Tabled (VOTE: 5-0-0-1 Not Present: Legislator Haley).

1461-03 - Authorizing planning steps for acquisition under Suffolk County Multifaceted Land Preservation Program (YMCA Property) (Town of Smithtown) (Nowick).

LEG. FIELDS:
This one got a ranking of 25.

CHAIRMAN BISHOP:
There is a facility there and this proposes to make it a passive park which is kind of --

LEG. GULDI:
Motion to table.

CHAIRMAN BISHOP:
-- presents difficulties.

LEG. CARACCILOLO:
Second.

LEG. FIELDS:
Yes, I'll second the motion.

CHAIRMAN BISHOP:
So there's a motion to table by Legislator Caracciolo and a second by Legislator Fields and 1461 is tabled (VOTE: 5-0-0-1 Not Present: Legislator Fields).

1476-03 - Approving Adopt-a-County Shoreline Program (Cooper).
Legislator Cooper's aide is here.

LEG. GULDI:
Legislator Cooper is very big on adoption.

CHAIRMAN BISHOP:
People, pets and shorelines.

MR. LABORDE:
Hi. Good afternoon. Basically the reason why I'm here is that we

would like to try to get this out of committee because on August 5th we do have the founder and President of Adopt-a-Waterway, Paul Polizzito, to come and give more information on this. There were some questions from the County Executive in regard to signs going on shorelines, that would not be the case, they would be going more on roadways. It's very beneficial to the County.

62

CHAIRMAN BISHOP:

This is a program where this company comes in and they sell signage -- we give them access to our County roads --

MR. LABORDE:

We give them permission.

CHAIRMAN BISHOP:

-- they sell signs to corporate sponsors and then we get 50% of the revenue; is that correct?

MR. LABORDE:

Yes.

LEG. VILORIA-FISHER:

Like Adopt-a-Highway.

MR. LABORDE:

Yes.

CHAIRMAN BISHOP:

And these shoreline signs will not go on the shoreline but on County roads, presumably near a shoreline.

MR. LABORDE:

Yes.

LEG. FIELDS:

Who puts them up?

CHAIRMAN BISHOP:

The company puts up the signs, do we know that?

MR. LABORDE:

Yes, they do, as well as --

CHAIRMAN BISHOP:

They maintain, they design and maintain the signs; that's essentially it.

LEG. FIELDS:

They maintain them or they just put them up and walk away from them?

MR. LABORDE:

They do maintain them, yes.

LEG. GULDI:

Why should we use them instead of doing this ourselves?

MR. LABORDE:

The reason --

MS. ESSEL:

Then you make a hundred percent.

63

MR. LABORDE:

Well, the reason why is because they also -- in the 50% that they take back, they reinvest it into commercials, letting people know about water improvement quality and the like. So I guess since they have done it before in other locales like Rodondo Beach, Malibu and soon Miami, they understand and they are able to be -- to do it more efficiently.

CHAIRMAN BISHOP:

They have an expertise that they bring to the table.

LEG. VILORIA-FISHER:

Mr. Chairman, I just have one question.

CHAIRMAN BISHOP:

Well, everybody says do it yourself but nobody has moved on a program like that, it would be probably years before we would get one established. So it's easy to say do it yourself but the reality is that it's not unlikely to happen.

LEG. GULDI:

I just asked why not.

CHAIRMAN BISHOP:

Certainly in the short term it's unlikely to happen.

MR. LABORDE:

Included --

CHAIRMAN BISHOP:

Legislator Fisher.

LEG. VILORIA-FISHER:

I just have a question about the second RESOLVED.

MR. LABORDE:

Sure.

LEG. VILORIA-FISHER:

Which says that, "The revenues generated by the County from such agreement shall be paid into the General Fund and shall be matched by an equivalent approach by the County of Suffolk in the immediately subsequent fiscal year for operating budget projects that improve water quality in Suffolk County."

CHAIRMAN BISHOP:

Right. Let me explain that.

LEG. VILORIA-FISHER:

I guess my question is if we raise a lot of money, does that mean that we are then compelled to match that?

CHAIRMAN BISHOP:

No, I don't think that's what that means; I read it that way initially also and I think what that is is the mechanism to spend the money.

64

You can't accept and spend in the same budget year is my understanding; is somebody backing me up?

LEG. GULDI:

Nobody.

LEG. VILORIA-FISHER:

What you're saying then is it provides a 50% match in a subsequent year?

CHAIRMAN BISHOP:

No, I don't think it's a match at all. I think it's receiving our share and then we spend it the next year, so let's say it's a million dollars in 2003, you don't get --

LEG. VILORIA-FISHER:

It says match, though.

CHAIRMAN BISHOP:

Deposited and then matched next year, so in other words it's just coming in and going out; that's the conversation I had with Legislator Cooper.

MR. LABORDE:

Yes, you're absolutely right. Basically what -- there is a mechanism needed and because -- the money will go into the County and -- basically what you have to understand is that the County will not be paying for anything. What this resolution will be doing is it will be allowing for this organization to put signs up.

LEG. VILORIA-FISHER:

Okay, I see what David is saying. It will be paid into the General Fund and then shall be matched by an equivalent appropriation.

CHAIRMAN BISHOP:

Right. So in 2003 you take in a million, you put out a million in 2004.

LEG. VILORIA-FISHER:

So it goes into the General Fund and then they appropriate it. Yes, yes. Okay, thank you, you're right.

LEG. CARACCILO:

Ms. Gordon?

CHAIRMAN BISHOP:

A rare moment of clarity.

LEG. CARACCILO:

Would you please come forward to address this resolution?

CHAIRMAN BISHOP:

Is she here?

LEG. CARACCILO:

Hi, Judy.

LEG. VILORIA-FISHER:

It's Commissioner Gordon.

LEG. CARACCILO:

Since the first RESOLVED clause directs you and your department to administer this program, I'd like to hear your thoughts on it.

COMMISSIONER GORDON:

Well, it's another responsibility that we would have to take on and we've got limited resources already but if it's going to be the big benefit that the Legislator's aide is indicating, it may be worth the effort.

LEG. CARACCIOLO:

Are you familiar with anywhere here on the east coast where a program like this is in existence?

COMMISSIONER GORDON:

No, I'm not.

LEG. CARACCIOLO:

But you mentioned that it's soon coming to Miami.

MR. LABORDE:

Yes, this will be --

LEG. CARACCIOLO:

And two locations in California.

MR. LABORDE:

Right.

LEG. CARACCIOLO:

I think before we rush to judgement we should do a little bit more research and not just take some propaganda material that's obviously prepared by an entity that stands to profit from it. So I'm going to make a motion to table.

CHAIRMAN BISHOP:

I'm going to make --

DIRECTOR COSTIGAN:

We would be glad to go to Maui or Miami to check out how it's functioning.

CHAIRMAN BISHOP:

There will be a --

COMMISSIONER GORDON:

I'll go with Ms. Costigan.

CHAIRMAN BISHOP:

There will be extensive field studies.

LEG. FIELDS:

I'll make a motion to discharge without recommendation --

CHAIRMAN BISHOP:

That's what I was going to do.

LEG. FIELDS:

-- and that way it will be on the floor.

CHAIRMAN BISHOP:

All right, and I will second that. I think that's the proper motion because the point --

LEG. GULDI:

Well, on the motion.

LEG. VILORIA-FISHER:

On the motion.

CHAIRMAN BISHOP:

What's the aide's name; what's your name?

MR. LABORDE:

Edgard Laborde.

CHAIRMAN BISHOP:

The point Mr. Laborde was making is that the representatives of the committee will be available at our General Meeting and want the opportunity to speak to the resolution.

LEG. GULDI:

On that motion, on that particular point. The representatives at the General Meeting will have a three minute presentation and not be available for questioning, and where they belong is here.

CHAIRMAN BISHOP:

But Legislator Cooper who is a tireless advocate of his bills I'm sure will have much more to say about it at that time.

LEG. VILORIA-FISHER:

Mr. Chair?

CHAIRMAN BISHOP:

Yes.

LEG. GULDI:

Yeah, but I won't have -- if I may, that won't present an adequate opportunity to engage in dialogue with the sponsors of the program and, you know, frankly I see that as being essential.

LEG. VILORIA-FISHER:

We have another meeting in a couple of weeks.

LEG. CARACCILOLO:

What's the rush?

CHAIRMAN BISHOP:

There's a motion to discharge without recommendation having been made and seconded. All in favor?

67

LEG. VILORIA-FISHER:

I have a question for the Commissioner.

CHAIRMAN BISHOP:

Is there a motion to table? I didn't hear the second.

LEG. CARACCILO:

I made a motion.

CHAIRMAN BISHOP:

Motion to table by Legislator Caracciolo. I didn't hear the second, that's the problem.

LEG. GULDI:

I'll second the motion.

CHAIRMAN BISHOP:

Second by Legislator Guldi. All in favor of tabling?

LEG. VILORIA-FISHER:

I had a question on the motion.

CHAIRMAN BISHOP:

Yes, on the motion.

LEG. VILORIA-FISHER:

Before our vote I would just like to ask the Commissioner a question; has this come before the Park Trustees?

COMMISSIONER GORDON:

No, it has not.

LEG. VILORIA-FISHER:

Thank you.

CHAIRMAN BISHOP:

Okay. And there's a motion having been made and seconded. All in favor of tabling? Opposed? It's unanimous, we'll table it. Thank you. Tabled (VOTE: 5-0-0-1 Not Present: Legislator Fields).

LEG. VILORIA-FISHER:

When do the trustees meet, Judy?

COMMISSIONER GORDON:

I believe -- the August meeting is the 21st? The third Thursday.

LEG. VILORIA-FISHER:

Okay, thank you.

CHAIRMAN BISHOP:

1506-03 - Amending the 2003 Capital Budget and Program and appropriating funds for the purchase of equipment for groundwater monitoring and well drilling (CP 8226) (County Executive). This is still not be resolved.

68

LEG. CARACCILOLO:

I made a motion to approve at the last meeting.

LEG. GULDI:

What's the --

CHAIRMAN BISHOP:

What fund is this? Does this run afoul of 5-25-5, is that what happened?

LEG. FIELDS:

Vito is here.

CHAIRMAN BISHOP:

I know.

LEG. GULDI:

Vito, what's this equipment for and why do you need it? And why did we table it?

CHAIRMAN BISHOP:

Yeah, why did we table it?

LEG. GULDI:

In our infinite wisdom.

LEG. VILORIA-FISHER:

That's the best question.

LEG. GULDI:

And you can answer those questions in any order you choose.

MR. MINEI:

I absolutely refuse to be responsible for your actions.

LEG. CARACCILO:
And wisely said.

LEG. GULDI:
He obviously doesn't want it very much, does he?

MR. MINEI:
Quite honestly --

CHAIRMAN BISHOP:
Clearly he just got out of his Dale Carnegie session.

MR. MINEI:
No, seriously the money is for trucks and well drilling, auger equipment that we do groundwater investigations and I could probably rattle off two or three in each of your respective districts.

LEG. CARACCILO:
Motion to approve.

69

LEG. GULDI:
Second.

LEG. CARACCILO:
Including my district office.

LEG. FIELDS:
I will second the motion to approve.

CHAIRMAN BISHOP:
The purpose of the resolution is to convert the method of financing from pay-as-you-go to serial bonds in the amount of 180,000 --

LEG. GULDI:
Okay.

CHAIRMAN BISHOP:
-- for replacement of vehicles and equipment to drill wells and conduct groundwater research in the Health Department with a priority ranking of 58. It requires a three-quarter vote.

LEG. CARACCILO:
We have a motion and a second.

CHAIRMAN BISHOP:
Basically what the problem is, the reason it gets --

LEG. VILORIA-FISHER:
We've run out of money.

CHAIRMAN BISHOP:
Yeah, and this is looking to --

LEG. GULDI:
Yeah, but the zero --

CHAIRMAN BISHOP:
-- runs afoul of a conservative bonding policy.

LEG. CARACCILO:
Thank you, Cameron Alden.

CHAIRMAN BISHOP:
My issue as well.

LEG. GULDI:
Yeah, but the serial bonds at this point are below the inflation rate.

LEG. VILORIA-FISHER:
Right.

CHAIRMAN BISHOP:
I know, they're giving the money away.

70

LEG. GULDI:
It's like rolling your balance over to a zero interest for the next year.

CHAIRMAN BISHOP:
It's like a newspaper with a credit card that has a very low interest rate, it's still deferring paying.

LEG. VILORIA-FISHER:
Vito, was that the problem last time, that we've run out of money in pay-as-you-go?

MR. MINEI:
Again, I'm not familiar with the accounting but I do recall that the Chairman raised that issue.

CHAIRMAN BISHOP:
All in favor? Opposed? Abstentions? I'm opposed, 4-1, it's approved (VOTE: 4-1-0-1 Opposed: Legislator Bishop - Not Present: Legislator Haley).

MR. MINEI:

Thank you for voting for it.

LEG. GULDI:

Okay, what else?

CHAIRMAN BISHOP:

That's it.

LEG. VILORIA-FISHER:

No, what about Tabled CEQ Resolutions?

MR. MINEI:

That should have been off your agenda quite some time ago, the full Legislature approved that.

CHAIRMAN BISHOP:

Motion to table that subject to call, second by Legislator Guldi. All in favor? Opposed? Tabled subject to call (VOTE: 5-0-0-1 Not Present: Legislator Haley).

Okay, that concludes the agenda. Motion to adjourn, second. We stand adjourned. Thank you.

(*The meeting was adjourned at P.M.*)

Legislator David Bishop, Chairman
Environment, Land Acquisition & Planning Committee

{ } - Denotes Spelled Phonetically